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THE

EDINBURGH REVIEW,

JULY, 1852.

No. CXCV.

ART. I.—1. *Criminal Returns. Metropolitan Police.* 1850.
2. *Metropolitan Police and Police Courts' Accounts.* 1850. Ordered by the House of Commons to be printed, 20th of February, 1851.

THERE are few subjects more important and interesting than the combined arrangements for the internal security of a nation comprehended in the term, System of Police. This is especially true in the case of a great metropolis, where there is a vast accumulation of property, where a large population live under the constant pressure of want and stimulus of appetite, and where the immense aggregation of human beings necessarily affords opportunities of combination as well as facilities for concealment. In London, however, the arrangements are so good, the security so general, and the complex machinery works so quietly, that the real danger which must always exist where the wealth and luxury of a nation are brought into juxtaposition with its poverty and crime, is too much forgotten; and people begin to think it quite a matter of course, or one of the ordinary operations of Providence, that they sleep and wake in safety in the midst of hordes of starving plunderers.

This becomes only more remarkable, when we call to mind that all the changes by which the police system of London has been brought to its present high state of efficiency are of very recent date, and encountered on their introduction the most violent opposition.

From the original Decennary or Frankpledge of the Saxons, until the year 1829, there had been only one and the same

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organisation for police purposes throughout the whole kingdom, whether in town or country. It consisted of Justices of the Peace, performing executive and judicial functions, and having a parochial constabulary force at their command, the inhabitants in towns being charged, under the Statute of Winchester (3 Edw. I. c. 4.), with the additional duty of keeping watch and ward. Two essential principles pervaded the whole: the jurisdiction was *local**, the authority of the justice or the constable not extending beyond his own limited district, and the service was *gratuitous;* for although in some cases the constable was hired, yet no remuneration was attached to the office of Justice; and the duty of watching the towns was required to be discharged personally or by substitute. An adherence to these principles eventually became incompatible with the increase of population and with the change wrought by time in the social habits of the nation; and in London especially, to which city we mean here to confine ourselves, we shall find striking examples of the evils flowing from a blind and pedantic adherence to antiquated systems when circumstances have altered, and from a people looking backward while the world is moving forward.

As population swelled in amount and crime increased, the duty of administering justice in towns became more toilsome and repulsive, so that gradually men of education or the class engaged in their own important avocations, withdrew from the thankless task. Their places were filled by persons of a low grade, attracted by the fees which the almost irresponsible power of the Justice enabled him to demand. Without a single qualification for the office which they presumed to fill, these officials evinced a shameless rapacity in exacting money; and under the name of *trading justices* became a byword for every species of iniquity. The poor were, of course, the chief sufferers, for where they sought justice they found only extortion and oppression. The tribunal of Bow Street was the spot where the first step was taken towards a better system. About the middle of the last century (the precise date is not, we believe, known) a responsible presiding magistrate, *with a salary*, was appointed to this court. The improvement which followed was so remarkable, that Bow Street attracted business from all quarters, and rose to deserved celebrity; and the constables attached to the office, sharpened by

* The English Law has paid a heavy price for its localised jurisdictions, not only from their being a mischievous obstacle to the apprehension of felons, but from the frequent interference of the rule concerning *venue*, with the administration of justice upon both criminal and civil trials.

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practice and stimulated by high rewards, became famous for their sagacity and skill in the detection of crime. A single Court, however, could do but little for that numerous population of London who were not comprehended within the jurisdiction of the City Magistrates; and the administration of justice as a trade gave such impunity to crime, that a remedy was loudly demanded. This was given in 1792, by the enactment of the Middlesex Justices' Bill, which, following up the precedent of Bow Street, provided seven additional police offices for the metropolis, each presided over by Magistrates, who were required to be in daily attendance; and who, receiving salaries from the country, were responsible to the Secretary of State. A further important improvement, in principle at least, was the extension of the summary jurisdiction of the Police Magistrates over 'reputed' thieves.* But in England we have always shown ourselves more sensitive to the rights of rogues than to the wrongs of honest men; and this admirable measure met with great opposition. Mr. Fox thought even the payment of Magistrates a dangerous innovation, and the clause about reputed thieves incompatible with the liberty of the subject. But the increase of crime was so alarming, and the denial of justice so flagrant, that common sense prevailed over the liberty of the subject; and the bill having passed, the judicial branch of the police system of London was at once brought to a very considerable state of efficiency.

The executive branch, however, continued still in its primitive rudeness — no palliative could diminish the radical evils of the system, local jurisdiction and gratuitous superintendence. Extraordinary outbreaks of crime attracted the notice of Parliament, and produced Committees of Inquiry in 1772, in 1793, in 1812, in 1816, in 1817, in 1818, and in 1822. Nothing, however, was done beyond familiarising the public mind with the abuses which prevailed, and enunciating, with increasing boldness and precision, the true principles of modern administrative improvement, — centralised power, unity of action over an extended area of administration, with a paid and responsible management. But as in 1792 so in 1822, the liberty of the subject was the great bar to obtaining protection to life and property. The Committee reported that improvement in police and facilities in detection of crime were desirable, 'if *abstractedly* considered;' but *practically* considered, they were 'irreconcilable with perfect freedom of action and exemption from interference.' The House of Commons, as it usually does, preferred the practical to

* The Recorder of Birmingham may still succeed in his advice.

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the abstract view of the question; and for seven years longer the London thieves enjoyed 'perfect freedom of action and 'exemption from interference.' The trading principle, which we have mentioned as pervading the judicial branch of the police, struck its roots deep into the executive, and flourished with a vigour corresponding to the rankness of the soil. The office of High Constable, one of great labour and no salary, was much sought after — principally by coal merchants, who soon made the public-house keeper aware that the liberty of the subject did not include the liberty of purchasing his coals where he pleased. No infamy of conduct prevented a renewal of a publican's licence if he paid black mail to the headboroughs and beadles. The petty constables and watchmen gleaned industriously in the same field. As no respectable person would discharge the duties of the office of constable, it became customary to hire substitutes, whose only qualification was the capacity of receiving the hire or bribe of 10*l.* In some parishes, to keep down the poor-rates, they employed as watchmen old worn-out paupers. In Camberwell, the watchmen were provided with Welch wigs and snug watchboxes, in order to insure a vigilant watch, and were armed with blunderbusses, that they might keep the peace. The deputy constables were infinitely worse than useless, for they were the chief encouragers of the very crimes they were intended to repress. They lived by extortion and by countenancing every species of vice: they received bribes from the wretched frequenters of the streets. The watchhouses, instead of being a terror to criminals, were often turned into brothels and receiving-houses for stolen property. Some of the headboroughs were well known thieves. They were assiduous customers at courts of justice, giving false evidence so as to insure a conviction; for a conviction entitled them to a reward, or at least to the payment of their bill of expenses. It is recorded of one constable, who was rather a pluralist in his own way, that he apprehended an offender, drew the brief for the defence, was the principal witness on the part of the prosecution, and was afterwards called on to speak to the prisoner's character.

These valuable functionaries exercised their sway in circumstances of infinite variety. The city magistrates' warrant had no force in the county, nor the county magistrates' in the city; so that when the law offered no impediment to the thief, but compelled the constable to halt at every corner and obtain fresh authority, the former could hardly be caught except through extraordinary inactivity on his part, if not through pure good nature. St. Giles' in the Fields and St. Georges' Bloomsbury

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'were under no particular Act of Parliament;' the precise effect of which was, that the constables collected as much money as they could from the inhabitants for police purposes, the inhabitants paid what they pleased, and the constables never accounted for anything they received. Westminster has been the victim of much legislation: Lord Burleigh had been its first High Steward, and had made many stringent ordinances; and the local Act (14 Geo. III. c. 90.) was full of admirable regulations, but the machinery to put them in force was on the voluntary principle, and would not be at the trouble of working. The watch in every parish was under a separate commission, so that frequently the watchman on one side of a street could not assist the watchman on the other, because he was in another parish. Lambeth appears to have been neglected, for it had no trust or commission at all. St. Pancras parish outdid Westminster; since it had no less than eighteen different watch trusts, all independent, isolated, and irresponsible. Deptford fell into the opposite extreme; and, with 20,000 inhabitants, had not a single watchman. Kensington took a middle course — it had three constables and three drunken beadles, who, being appointed by the steward of the manor, were in no way under the control of the magistrates; and having no pay but their fees, did no duty at all except that of making out very long bills. Twelve bewildered parishes had no night watch of any kind; and the principal protection of the inhabitants, so the Secretary of State for the Home Department officially declared, was the honesty of the thieves. Indeed, it was admitted that a stranger could only have accounted for the existing arrangements, by supposing they had been devised by the thieves for their own encouragement and safety.

It is a remarkable thing, and it shows the depth of prejudice then prevailing in the public mind, that this almost incredible state of confusion and mismanagement should have continued so many years without any effort at legislative improvement. The evils were as notorious as the sun at noon-day — the proper remedies were declared by all who were practically acquainted with the subject, to be a uniform system and a superintending central authority; but there was a marked reluctance on the part of the parliamentary committees to recommend anything. The experience, however, of various parishes showed that a little systematic vigilance would be quite sufficient to put almost a complete stop to serious crimes, such as burglaries, and greatly to check minor depredations. In several instances where robberies had become very frequent, the inhabitants of a parish were roused into activity, established a paid watch, and super-

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intended it themselves. At first the thieves were put to flight, and depredations ceased; but the stimulus being withdrawn, the worthlessness of gratuitous service was invariably evinced. The respectable people became tired of personal superintendence; they caught cold, complained of sore throats, and discontinued their attendance; the subscriptions fell off, the watchmen were discharged, and the thieves came back again.

Gradually, under the pressure of circumstances, several small measures were taken by Government — all in the nature of experiments by which the country might feel its way to a sounder system, all pointing to the same result, and all successful. The first was the establishment, in the time of Sir John Fielding, of the Bow Street foot-patrol, to patrol about four miles on the roads leading from London. In 1805, this system was extended by the formation of the Bow Street horse-patrol sixteen or twenty miles along the roads. These bodies being paid, and properly organised under officers responsible to the head Magistrate at Bow Street, and, through him, to the Secretary of State, were highly efficient, and, in fact, put an end to the old system of robbery by mounted highwaymen. In 1800, the River Police was organised on the same principle, for the purpose of watching the Thames; and in 1821, Lord Sidmouth introduced the system of patrols in the streets. Up to 1822, it was considered sufficient if the streets were patrolled during dusk, and so far into the night as people continued to move about, leaving the thieves undisturbed during the day-time; but in that year Mr. Peel established the Bow Street day patrol, a body too small to be of extended use, yet still of importance, as proving, by experience, that it was for the benefit of society that the streets should be watched day and night. The great step was taken in 1828. Mr. Peel, then Secretary of State for the Home Department, having determined to grapple with the difficulties of the subject, obtained the appointment of a Committee of the House of Commons, which, after a most elaborate investigation, fairly threw overboard the liberty of the subject, and recommended that the present system should be established by constituting an office of police under the immediate directions of the Secretary of State, upon which should devolve the executive police duties, including the nightly watch of the Metropolis and its environs. The recommendation of the Committee was carried into effect by the Act 10 Geo. IV. c. 44., by which the old parochial organisations for police purposes were swept away, and the constabulary force of the metropolis was placed under two Commissioners appointed by the Crown. The only exceptions were the police of the City of

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London, the constables of the police offices, the horse patrol, and the Thames police, for it was thought expedient not to provoke unnecessary hostility, by attempting too much at first. The great principle of uniformity of system, under paid and responsible public officers, and extending over a locality which, however subdivided for other objects, admitted of no distinctions for police purposes, was at length established, and was left to work its way in public favour.

At first the opposition was furious; for all long-continued abuses command crowds of supporters, and parochial abuses are preeminently dangerous to meddle with. The storm of clamour was so great, that it was a question whether the new system would not be borne down by the torrent of unpopularity. A striking instance of this occurred on the occasion of the Cold Bath Fields Meeting in 1833, in dispersing which three policemen were stabbed, one mortally. The Coroner's Inquest brought in a verdict of 'justifiable homicide.' The verdict, which ought to have been 'wilful murder,' was of course at once set aside by the Superior Courts as being directly contrary to the facts; but the record remains to show to what an outrageous length of absurdity a Coroner's Inquest can go when it becomes the mouthpiece of a mob. It was fortunate that so judicious a selection had been made of the two Commissioners at the head of the police force: for their temperate conduct, sagacity, tact, and firmness contributed in no small degree to the success of what at first could be considered only as an experiment. In 1833, matters were brought to issue, and inquiries into the administration and conduct of the Metropolitan Police were made by no less than three Committees of the House of Commons. The result triumphantly proved the superiority of the new system, and the Commissioners received unqualified approbation. The principles thus established were from time to time applied more extensively. In 1834, the Municipal Improvement Act authorised the formation of similarly organised bodies of police in all corporate towns. In 1839, the City of London followed the example, and placed itself under the protection of the present City Police. In the same year a variety of important improvements were introduced: a complete separation was effected between the judicial and executive branches of police; and the police-office constables, and the river police were placed under the Commissioners. Thus the grand principle was fully carried out, that the entire civil force of the Metropolitan Police District should be subject to a single authority. By the Acts 2 & 3 Vict. cap. 47. and 71., the power and jurisdiction of the Police Commissioners and Magistrates were

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considerably extended. In the same year was authorised the establishment of the County Police, on similar principles, but under the control of the magistrates of the county. Since that time a variety of public bodies have sought the powerful aid of the Metropolitan Police. In 1840, they took charge of the Houses of Parliament and of the London Docks, — in 1841, of the Naval Yards at Woolwich and Deptford, — in 1843, of the Record Office, — in 1844, of the Arsenal at Woolwich, — and of Greenwich Park and Hospital, — in 1846 of the watching of the Tower of London, — and in 1850, of the Regent's Canal Docks. Among the last year's wonders of London none made a more favourable impression on our foreign guests than the police in general, and particularly those in attendance on the Crystal Palace, of whom they saw most. An important branch of duty performed by the Metropolitan Police is the conveyance of prisoners from the several police courts to the prisons. Vans are provided with a separate compartment for each prisoner, so that he cannot communicate with any other. The whole number conveyed in this way in each year is about 40,000. They also occasionally discharge other duties besides those belonging to them as police; they take the votes for the election of Poor-law guardians; in 1845, they began to assist the Inland Revenue Office in checking the duties on stage carriages, and they delivered and collected the Census papers in 1851.

We would now endeavour to explain the actual organisation of the great living machine which keeps guard over our Metropolis, with its ten millions of rateable property, and watches at night in order that two millions and a half of people may sleep in safety, although six thousand professional thieves are constantly on the watch for opportunities to plunder. It consists, besides the two Commissioners*, of 1 chief superintendent, 18 superintendents, 124 inspectors, 585 sergeants, and 4797 constables, in all 5,525 persons. About 3,700 men are on duty all night, and about 1,800 all day. During the night they never cease patrolling the whole time they are on duty, being forbidden even to sit down. The police district is mapped out into divisions, the divisions into sub-divisions, the sub-divisions into sections, and the sections into beats, all being numbered, and the limits carefully defined. To every beat certain constables are specifically assigned, and they are provided with little maps

* The Commissioners are Magistrates for the seven counties into which their district extends; viz., Middlesex, Surrey, Hertfordshire, Essex, Kent, Buckinghamshire, and Berkshire; and the police are constables for all these counties.

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called beat-cards. The business of the constable on duty is to perambulate his beat in a fixed time according to an appointed route; as soon as he has gone over it, he immediately begins his rounds again, so that the patrolling sergeant knows at any moment where the constable ought to be found unless something unusual has occurred. So thoroughly is this arrangement carried into effect, that every street, road, lane, alley, and court, within the Metropolitan Police District, that is, the whole of the metropolis, (except that small part the City of London) the county of Middlesex, and all the parishes (218 in number) in the counties of Surrey, Kent, Essex, and Hertfordshire, which are not more than fifteen miles from Charing Cross, comprising an area of about 700 square miles, 90 miles in circumference, and with a population of two-and-a-half millions, is visited constantly day and night by some of the police. The beats vary considerably in size; in those parts of the town which are open and inhabited by the wealthier classes, an occasional visit from a policeman is sufficient, and he traverses a wide district. But the limits of the beat are diminished, and of course the frequency of the visits increased, in proportion to the character and density of the population, the throng and pressure of traffic, the concentration of property, and the intricacy of the streets. Within a circle of six miles from St. Paul's, the beats are ordinarily traversed in periods varying from seven to twenty-five minutes, and there are points which, in fact, are never free from inspection. Nor must it be supposed that this system places the wealthier localities at a disadvantage, for it is an axiom in police that you guard St. James' by watching St. Giles'.

The district is divided into 18 divisions containing, including the Thames, 121 police stations, each station being the place from which the police duties are carried on within the division or sub-division, where all communications are received, and explanation on police matters disseminated. A considerable number of the policemen live in the station house, so that a reserve is always at hand, and here, on the watch like a spider in the centre of his web, an inspector is always in attendance — 'All sly slow things with circumspective eyes.' When any thing occurs in the district worth communicating, the intelligence is conveyed from one constable to the other till it reaches the station-house — thence, by an admirable arrangement of routes and messengers, it passes to the central office at Whitehall, thence along radiating lines to each division, and from the divisional station-houses to every constable in the district. This rapid transmission of intelligence is important as regards the detection of crime, but especially as a means of preserving the

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city from riot. In a case of emergency, the Commissioners could communicate intelligence to every man in the force, and collect the whole 5,500 men in one place in two hours. A communication by electric telegraph was established between the Commissioners' office in Whitehall Place and the police station in Hyde Park during the Great Exhibition: probably, hereafter, this mode of communication will be adopted generally, by which information and directions may be instantaneously made known in all parts of the police district, as is the case, we believe, already in Berlin. It was formerly quite common for the parochial police to be overawed by the multitude of ruffians who had gathered together from several quarters, and on any occasion of apprehended tumult, the peace of the town was in reality preserved by a display of military. The power of rapid concentration has so effectually corrected this evil, that since the establishment of the Metropolitan Police, it has never been found necessary to call the military into actual operation in aid of the civil force.

Those who merely observe a policeman quietly walking along his beat, would hardly imagine the exceedingly laborious nature of his duty. Of the numerous candidates for admission into the force, not more than one in three possesses physical strength equal to the work; and the rigid discipline which exacts this exertion, also insists upon extreme propriety of conduct, and great self-command in the most trying circumstances. At first the number of dismissals and resignations was so great that it was almost impossible to carry on the duty; but the Commissioners persevered through every difficulty in enforcing a high standard of conduct, and eventually succeeded in bringing the force into its present remarkable state of efficiency. The numerous applications to the Commissioners from persons desirous to mark by some donation their sense of the zeal and activity of the police is decisive testimony as to their conduct. In 1850 the amount paid to the police as rewards for arresting offenders, and recovering stolen property was 613*l.* 12*s.* 7*d.*, while the *voluntary* gratuities paid within the same period by individuals, for extra services, amounted to no less than 4657*l.* 1*s.* 5*d.* Nor can clearer proof be given of perfect discipline than the fact that 5000 men, in the prime and vigour of life, with moderate wages, (2*s.* 5*d.* to 3*s.* per day), exposed in an unusual degree to the worst temptations of London, and discharging, for the most part during night, a very laborious duty, always irksome, and often dangerous, are kept in complete control without any extraordinary coercive power. The completeness of their organisation was at one time a ground of attack against them.

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Discipline and gradation of ranks being in the minds of many persons inseparably connected with the idea of a military body, —advantage was taken of this feeling to turn against the police our constitutional jealousy of a military force. Indeed even now, people do not always recollect that the only essential difference between a civil and a military body is the possession of arms: and that this, which constitutes the power of the soldier, destroys the usefulness of the constable,— for a soldier is necessarily a bad policeman. He cannot use his musket by degrees; if he acts at all he must inflict *death;* and a mistake being irreparable, his freedom of action must be limited, except where it is intended to inflict the extremity of punishment. Whereas the constable, because he possesses no deadly weapon, may safely be entrusted with the right of interference, and by a moderate application of force at an early period, may *prevent* the growth and progress of crime, which the soldier could only *punish.*

The total cost of the Metropolitan Police was, in 1850, 385,744*l.*; which was defrayed in the following manner: —

Rate of 6*d.* on 10,486,361*l.*, the annual rental of the district, equal to about 2*s.* 3*d.* per head - -	£262,159
Payment from the Consolidated Fund - - -	100,325
Payments by public departments for services - -	10,507
Miscellaneous receipts - - - - -	10,117
	£383,108

In addition to this, the Police Courts cost 45,000*l* a-year, of which about 11,000*l.* is received in fees and forfeitures, and the remainder is charged upon the Consolidated Fund. All shares of fines on convictions where any of the police are informers, and which would be payable to them, are by a regulation of the Commissioners paid to the Police Courts Fund, lest any suspicion might attach to the evidence of the police from their having a pecuniary interest in obtaining convictions.

For some years, one branch of the police, that of detection of crime, was undoubtedly defective. In this art, success depends much upon individual qualifications, sagacity in drawing inferences from slight things, fertility of resource, a blood-hound tenacity of pursuit, intimate acquaintance with the habits of thieves, and of their probable mode of acting in particular circumstances, and in the knack (and here real genius displays itself) of making a *cast* in the right direction in search of a clue. The old Bow Street professors of the science had attained to great perfection; they enjoyed great advantages and received great rewards. The peculiar nature of their business

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made them courted by the great, as well as feared by the small. Townsend was an intimate, we may say, of princes. Dressed in his customary suit, a yellow waistcoat, blue coat with metal buttons, nankeen pantaloons, white silk stockings, and a flaxen wig, he might be seen walking down Constitution Hill in familiar chat with the Lord Chancellor. When the constables of the Bow Street office were merged in the Metropolitan Police, these worthies, unable to confine their energies within the iron limits of the new discipline, and with conscious superiority unwilling to obey new masters, retired into private life; and it is a curious fact showing an extensive demand by private individuals for police services, they never wanted a day's work afterwards. The necessity of such men in the police having been recognised, the detective branch was established in 1842 by Sir James Graham. It consists of two inspectors and eight sergeants, with assistants in each division. They are selected out of the whole force for this peculiar business; they perform no other regular duty, but are wholly employed in the actual pursuit of criminals, or in obtaining information as to facilities for the commission of particular offences, and the haunts and habits of the offenders. Though the value of this branch of police is in a great measure determined by the personal qualifications of its officers, yet the new system has the additional advantage of giving increased means of detection by the power of combining and keeping in continuous and systematic action the efforts of a numerous body: and as this is an interesting part of our subject, and comparatively little understood, beyond the admirable descriptions in the 'Household Words,' we propose to illustrate it by an outline of the way in which the burglars were detected who broke into Mr. Holford's house in the Regent's Park. To render our account intelligible, we must, however, make some preliminary observations on the habits of thieves.

A policeman's evidence generally begins thus, 'from information I received,' and the very essence of the system lies hid under these words; the mode by which this information was procured being kept secret with much care. Almost all such information is obtained from the criminal population, and we must explain how it happens that criminals are willing to assist their natural foes, the policemen, in accomplishing the destruction of their own colleagues. That 'there is honour among thieves,' is one of the falsest of all false proverbs. Thieves, living in habitual violation of the rights of others, are necessarily of all persons least swayed by consideration of what is due to their neighbours, and of all classes of men they form the single

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exception of having no community of interest among themselves; in fact they are quite as ready to snatch plunder from thieves as from honest men. They live, therefore, in a state of constant hatred, jealousy, and fear of each other. In general also they lead a life of excitement, gambling, drinking, and vicious indulgence: their daily life is that of a gambler staking his liberty in every successive act: they are almost invariably living with female associates, the partners of their profligacy, generally their accomplices in crime, almost always the victims of their brutality; for from the habitual indulgence of their evil passions, they have no idea of self-control, and are capricious, irritable, quarrelsome, and revengeful. Hence from jealousy or anger, these women are perpetually tempted to turn upon their tyrants, and, by a hint to a policeman, secure a certain, secret, and sweet revenge. But this course is full of danger, for the vengeance wreaked against an informer is occasionally of a character truly awful. However desirous she may be to give information, she dare not do it indiscriminately. She must have sufficient knowledge of the police officer to satisfy her that he will not betray her, nor even by a clumsy mode of proceeding throw suspicion upon her; if a reward is stipulated, she must feel confidence that she will not be cheated of it — in short, if there is no honour among thieves, there must be among policemen, or the sources of their information would be dried up.

Another motive which weighs strongly with criminals is the hope of propitiating the police officer. The habitual state of mind towards the police of those who live by crime is not so much dislike, as unmitigated, slavish terror. From childhood the thief has felt that the policeman is his foe, against whom he cannot contend, from whom he cannot escape but by flight, and by whom he must ultimately be overcome. This feeling being constantly excited grows stronger and stronger; being shared by all his associates, it reacts on his mind through theirs, until it becomes an instinct which he cannot control. Conscious of a thousand offences, he feels safe only so long as he is unknown. When this defence is gone, a ruffian will drop his usual tone of bullying audacity, and follow every look of the police officer like a beaten hound creeping to lick his master's feet. We see in higher grades of life the servile running after the powerful, and doing dirty work, not for any definite reward, but from a vague hope of favour, and we cannot wonder if thieves imitate their betters, though they get as little by it.

They also take a professional view of the policeman's duty, knowing that in pursuing them, he is only acting in his vocation. The relations between a policeman and the regular London

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thief who follows his business as a profession, are very like those between the soldiers of regular armies, — there is no personal animosity; the thief expects he is not to be worried for nothing, that the policeman for instance is not to step out of his way to get him imprisoned for a month instead of fourteen days, — as one sentinel does not expect to be shot by another, an event, which, however disagreeable to him, cannot influence the result of the campaign. But when anything serious has occurred, and the thief has been fairly hunted down, he bears no malice; the battle has been fought and lost, he yields to his fate, and his anger is not directed against the policeman, but towards some accomplice whose treachery he suspects.

A skilful police officer therefore regulates his conduct according to the feelings of the class with whom he has to deal. His first object is to know them by sight, their names, haunts, connexions, and associates; he is inviolably secret as to any information given him, and will take as much trouble to shelter an informer as to lay hold of a delinquent; persons have even been arrested and apparently pursued with determined perseverance merely to blind their associates. He presumes to an incredible extent upon the known cowardice of the thieves; he will not associate with them, for that would lower his ascendency over them, besides exposing him to the risk of losing his own situation, but he never permits himself to treat them with contempt or incivility; for their irritable, uncontrollable tempers would resent this, and lead them in retaliation to conceal anything he might wish to learn. From one or other of these motives, — jealousy, revenge, the desire to propitiate the policeman, and more than all, the hope of reward, — almost any amount of information may be obtained, provided only that the right man applies in the right quarter. It might be supposed that a thief, knowing that any one of his companions would betray him for ten pounds, would endeavour to conceal his movements even from them. But again, the necessary conditions of a criminal life make this impossible. A thief has no home; solitude is unendurable; he cannot, if he would, associate with honest people; so that it is a necessity with him to frequent those places where such as himself are permitted to assemble. He knows that in those houses the policeman expects to find him, but even that risk will not keep him away. The public house is his place of amusement, and also his place of business; for here he meets his associates, gains information, and arranges schemes of plunder. Living thus as it were in public, and amidst persons whose whole conversation is on their daily

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business, every thing connected with him is perfectly well known to the peculiar circle in which he moves.

There is another curious characteristic of this community. They divide themselves into classes according to the particular branch of crime which they practise. The burglar never picks pockets, nor associates with the pick-pocket; the thimble-rigger is equally separate from the bludgeon-man; and in a great degree they frequent different houses. This system is of infinite advantage to the police; for when a crime has been committed, the detectives of each division, instead of making their inquiries at random in all directions, know precisely in what class, and sometimes in what houses to look for the offenders.

We would farther remark that frequently when a crime has been committed, it is found impossible to identify the parties; in these cases the exertions of the police, however successful in detecting and apprehending the criminals, come to nothing in the end, because no conviction can take place: there is a failure in justice, though none in the police system. The case of Mr. Cureton, which occurred the year before last, is an example of this, as well as of the real danger which actually exists, and which nothing but the constant guard of an effectual police system prevents from breaking out in frightful magnitude. Three men in broad daylight knocked at the door of his lodgings, in Aldersgate Street, in the City of London; it was opened by the landlady, and they went up stairs to his room. One of them asked him for a particular coin, and on his turning round to look for it in his cabinet, he was stunned by a blow on the head with a life-preserver, and, to prevent an alarm being given, the flexible handle of the murderous instrument was twisted round his neck. The robbers then ransacked the drawers, and in a few minutes left the house. It is probable that in less than half an hour the coins were passed to a receiver of stolen goods and melted down in a crucible. When Mr. Cureton was restored to his senses, all remembrance of the appearance of the men had passed from his mind, and the landlady's memory was equally treacherous. In these circumstances a conviction was impossible, because the stolen property had assumed a different form, and there was no one able to recognise the offenders. In fact, if the police had brought the three men into court with the melted gold in their hands, they must necessarily have been discharged. Something of this sort did indeed occur; for one of the real offenders, (at least the police who followed up the slight clue with extraordinary care, had little doubt that he was one of them,) was arrested, but the case did not admit of proof, and he was set at liberty by the magistrate.

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We now come to the Holford House burglary. Mr. Holford, having gone to America, left his house, in the Regent's Park, under the care of servants. About two o'clock in the morning of the 14th of October 1850, the butler heard some persons effecting an entrance into the dining-room. He wakened the other servants, and, having armed themselves, they went out on opposite sides of the house and suddenly attacked the four robbers, one of whom was knocked down and secured, the other three escaped.

Several shots had been fired; one servant, armed with a pistol with a spring bayonet, had discharged it across a small bush at one of the robbers, and at so short a distance that the bayonet actually touched him. Traces of blood were found, and it was supposed that the man had been mortally wounded, and having run some way had been unable to go farther, and had probably been thrown by his companions into the Regent's canal. The fact, however, was, that in the darkness and confusion, the burglar had tripped and fallen just as the trigger was pulled, and had received no injury, except that his hand, striking the end of the bayonet, had been slightly cut, as well as grazed by a couple of shot and blackened by the powder, and the blood came from another of the robbers, who had been severely wounded in the head and neck by a random discharge of small shot. The third man was unhurt; and nothing was found on the premises but a hat with some very small holes in it. The mode in which the police detected and arrested these three men, will illustrate our previous remarks, and show the working of a system which gleans information over a wide area, and combines it for practical application.

Next morning the prisoner was brought up for examination; he gave his name as William Dyson; but among the criminal population names are assumed one day to be discarded the next, and afford no clue to the identity of the individual. The first step taken was to place among the crowd some keen observers to watch, not the case, but the *spectators*. As the examination proceeded, and the feelings of the listeners became excited by the dramatic way in which the story unfolded itself, and their varying emotions were more openly manifested, it was noticed by the police that two women were watching the proceedings with an intensity of anxiety which betrayed a personal interest in the issue. Slight as the chance was, it was not neglected, and they were immediately marked for observation. After the examination, one of these women went to a beer-shop, the other to see Dyson in the House of Detention, where he had been remanded. She soon rejoined her companion, and both were tracked across

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the river into Southwark: there they separated; but from house to house the persevering detectives followed the *trail* of each until they reached their respective homes. Local knowledge being now wanted, the Southwark, or M, division was called into action. The woman who had gone to the prison was recognised by them as the mistress of a house-breaker commonly known by the soubriquet of 'the Doctor;' the other was soon after ascertained to be living with, and the active assistant of, a notorious ruffian of the name of James Mahon. This of course directed suspicion towards Mahon, and now was felt the power gained by a systematic watch over the criminal population. All the prisons within the Metropolitan Police District are visited each week by an intelligent constable from every division: besides which it is the custom whenever an offender is arrested and taken to the police station, that he should be brought out of his cell and placed in such a position that every man of the division, as he went on duty, had a good view of him, so that in time their faces become perfectly well known. Moreover, a patrol visits the thieves' houses of resort every night, and records in detail all those whom they find there. When it was circulated through the division that one of the Holford House gang, probably 'the Doctor,' had been arrested, and that Mahon was suspected, one of the patrol recollected that at ten o'clock on the night of the burglary, they had found in a public house 'the Doctor,' Mahon, two other men, Mitchel and Robinson, and a woman, all apparently in earnest consultation. The sergeant of the patrol went at once to the House of Detention, and there, in the prisoner Dyson, he recognised 'the Doctor.' During the following nights it was also ascertained that none of the three suspected men appeared at their usual haunts. It was clear, therefore, that the first point was gained, the gang was known; the range of inquiry was at once limited to three known individuals, and the police now turned their undivided attention to the discovery of their places of concealment. Our readers will recollect our explanation of the abundant sources of information that may be opened up by judicious management: money being wanted, it was, under the advice of the magistrate, supplied by a friend of Mr. Holford, and the whole of the Southwark division being on the alert, feelers were put forth in every direction. One man was successful. He was acquainted with a woman who had formerly lived with Mahon, but had been deserted by him, and he sounded her. Whether there had been a quarrel, or whether the woman's jealousy at being supplanted was stirring within her, or whether the reward alone was motive enough, she consented to give her

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assistance, and the bargain was struck. She could not, however, learn where Mahon was concealed, for his present companion was faithful to him. But it is the curse of a criminal that friends and foes are alike dangerous, and she managed to find out that the other woman washed his clothes, and on the next Saturday evening would take some to him, and the plan was laid accordingly. When the Saturday night came, the false friend, followed at a safe distance by a 'detective,' found some pretext for joining the other, and the two women set out together, one carrying the little bundle of clean clothes. They crossed the river and proceeded rapidly by narrow courts and unfrequented dimly lighted streets in the direction of Shoreditch. So thick and dark was the night that the detective sergeant would have been thrown out, had not this contingency been foreseen and guarded against. Under her dingy dirty dress the confederate had put on a clean white petticoat, and at the sharp turns or crossings the dark dress was raised, and the *white* signal shown to her follower. In this way the whole of London was traversed, and at length they reached a public house in the Kingsland Road. Here they stopped, the woman with the bundle went in, the other disappeared. The sergeant soon found a policeman on his beat, and, making himself known, secured his services, and directed him to fetch two more. He then entered the house, and there, in a large room, where a number of thieves were smoking and drinking, he saw the object of his pursuit, Mahon, sitting beside the woman whose faithful services had so unwittingly betrayed him. Fortune seemed disposed to shower her favours on the police officer, for a little farther off he spied Robinson. Confident in his ascendancy over any number of criminals, he allowed one policeman to show himself at the door, and with the quiet business-like manner that characterises the detectives, he walked up to Mahon and told him 'he was wanted.' The robber felt that his hour was come; as to resistance, notwithstanding the numbers present, no one so much as thought of it. Each in his secret soul was relieved to find that *he* was not the person 'wanted,' and was quite willing to sacrifice Mahon for the benefit of the community present; besides, for anything he knew, the whole division might be behind the policeman at the door. At a signal from the sergeant, this man now came in, his place, however, for the sake of appearances, being immediately taken by another. Mahon, with perfect submission, went to the bar, where he was searched and handcuffed; Robinson was also arrested, and both prisoners were removed to the station house.

Some important evidence was supplied by a cabman who had

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read in the newspapers the account of the robbery. He had been on his stand, not very far from Holford House, when, about two in the morning of the 14th October (the hour at which the attempt had been made), a man ran up to him, and saying that his hand had been bitten by a dog, asked him to pump some water upon it that he might wash away the blood. Immediately afterwards another man, *without a hat*, and with blood pouring from his face and neck, ran up to the stand, called the cabman, and jumping hastily into the cab was driven off towards the Strand. When the cabman was brought to the police office, he was confronted with Mahon, and recognised him as the man who had washed his hand at the pump. On the hand being examined, it was evident not only that the wounds had not been occasioned by the bite of a dog, and therefore his story to the cabman was false, but they corresponded to the cut of the bayonet and graze of the shot, and the dark blue stain of the gunpowder was still there. The wounds, however, were healing, and the hand returning to its natural state; so that these curious pieces of circumstantial evidence would have been lost, had there been much delay in Mahon's apprehension.

It was of course surmised that the wounded man who called the cab was the remaining one of the gang, Mitchell, and his conduct rendered this highly probable. While proceeding on his way, he heard a chaise coming after him at a gallop; he instantly called to the cabman to stop, jumped out, and, though almost fainting from loss of blood, attempted to run away. The chaise, however, passed on, and he returned, but in the extremity of his terror all considerations of prudence gave way before the one thought of watchfulness against pursuit, and he would not enter the cab again, but got upon the box. In the Strand he was put down,—the cabman, getting another fare, drove off, and all farther trace was lost.

The police, however, thought that in these circumstances a criminal trying to escape, and finding his strength failing, would most probably desire to be driven *towards* his place of concealment, but would stop short of it in order to baffle pursuit, and were satisfied that Southwark was the cover he had gained: this coincided also with the belief that Mitchell was the man, and the M division were again set in motion. This time recourse was had to one of those women who, living by the vices of others, are perhaps the most degraded and infamous of the human race. For a stipulated reward she engaged to endeavour to ascertain Mitchell's hiding place. Her information was, however, necessarily at second hand, and therefore imperfect, besides being tardy. Three times did the officers search

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houses which were indicated to them, but without success, Mitchell having got away before their arrival, and it seemed doubtful whether there was not some double treachery going on. The next place named was a house in Little Surrey Street, Blackfriar's Road; but as it was a private house, kept by persons apparently supporting themselves by honest labour, it was necessary to proceed with much caution. A policeman was found who was a friend of the nearest baker, and who learned from him that an unusual quantity of bread had of late been supplied to the house; another policeman was acquainted with the owner of the house, and contrived on some pretext to get the door opened. The sergeant then went in and asked who the lodger was. While the parley was going on, the face of a woman, listening anxiously, appeared over the bannisters, and she was recognised as having been with the gang in the public house on the night of the burglary. All hesitation was now over, and on going into the bedroom they found Mitchell (who had been wounded by the discharge of small shot) with his head and neck enveloped in bandages and bread poultices; he was in a miserable state, for hitherto he had been afraid to get medical assistance. The officers, having now fairly run their game down, treated him with great kindness; he was carefully removed to the station-house, every comfort provided for him, and a surgeon procured to dress his wounds. When taken to the police-office, the hat with the shot holes was found to fit him, and he confessed his guilt.

There still remained one man undiscovered, for Robinson was set at liberty, the police having learned that though he had remained with the gang till a late hour, he had quitted them before they went to Holford House. The real offender, who had been the contriver of the whole, was afterwards arrested on 'information they received,' but as he had taken no booty, was not marked, and could not be identified, he was necessarily discharged for want of proof; the other three were transported for life. The complete success of the police, however, shows the efficiency of the present system. No single officer could have traced out all the actors in the business; it required a systematic supervision of the criminal population, and a special instrument for each special purpose, as well as combined action over a wide area.

The Great Exhibition afforded a rare opportunity of putting to a severe test the capacity of our police establishment to meet any unusual demand. Undoubtedly the apprehension which at first was generally felt was unreasonable, but in circumstances so novel it was prudent to take great precaution. An addition

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was made to the force of 1095 men; 33 police officers were brought over from foreign countries, and 24 came up from the provinces. By day 386 of the Metropolitan, 7 of the Foreign, and 6 of the Provincial police kept watch inside the building, and 237 of the Metropolitan, 7 of the Foreign, and 6 of the Provincial police guarded the outside and the entrances. At night 54 were on duty inside and 33 outside the building. Besides this, the arrivals of foreigners by steam boat and railway were carefully watched. It is almost superfluous to add that London was never less disturbed than during last summer, and that the good order which prevailed at the Exhibition, and the civility and attention of the police were remarked by every one, and deserve unqualified approbation. The thieves seem to have been fairly frightened away, there having been only eight cases of picking pockets, and ten of pilfering; most of the latter were of a trivial description, and were sufficiently punished by fines; in every instance the whole of the stolen property was recovered.

In continuing our examination of the present system of police, we now come to the all-important question,—What effect has it had upon the reduction of crime? The first document we lay before our readers is taken from the valuable Criminal Tables prepared by Mr. Redgrave of the Home Office; we have added a column of averages, corrected according to the increase of population, which was about 16 per cent. in the first and 19 per cent. in the second decade.

Number of Persons committed for Trial or Bailed during the Five last Quinquennial Periods in the COUNTY OF MIDDLESEX, *including London.*

Quinquennial Period.	Number.	Average.	Average corrected according to increase of Population.
In the 5 Years ending 1829	16,841	3,368	3,368
Ditto 1834	18,372	3,674	
Ditto 1839	17,202	3,440	3,907
Ditto 1844	19,544	3,909	
Ditto 1849	22,973	4,594	4,649

The last period includes 1847 and 1848, both years of unprecedented criminality: omitting these two years the average would have been 4314. The commitments in 1849 were fewer than in any year since 1841; according to the rate of increase of population they ought to have exceeded those of 1841 by

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537, whereas they only exceeded them by 275, being an increase of 8 per cent. in 8 years, or 7 per cent. *less* than the increase of population, which in the same period was 15 per cent.

The second table is taken from the Criminal Returns of the Metropolitan Police for the year 1850.

Comparative Statement of Commitments in the POLICE DISTRICT *from* 1831 *to* 1850 *inclusive.*

Years.	Taken into Custody.	Summarily disposed of or held to Bail.	Committed for Trial.	Years.	Taken into Custody.	Summarily disposed of or held to Bail.	Committed for Trial.
1831	59,037	21,843	2,955	1841	68,961	28,235	4,018
1832	51,841	23,468	3,656	1842	65,704	27,664	4,431
1833	51,472	20,791	3,672	1843	62,477	26,171	4,636
1834	64,269	26,302	3,468	1844	62,522	26,871	4,304
1835	63,474	27,817	3,113	1845	59,123	23,890	4,916
1836	63,384	30,433	3,175	1846	62,834	26,333	5,112
1837	64,416	28,345	3,028	1847	62,181	24,689	5,920
1838	63,936	29,685	3,295	1848	64,480	27,274	5,523
1839	65,965	28,488	3,595	1849	70,666	31,343	4,567
1840	*70,717	29,076	4,082	1850	70,827	30,721	4,515

Comparing the commitments of 1850 with those of 1840, we find them 9 per cent. less than the increase of population, but when we see the immense increase of commitments in 1847 and 1848, and their decrease in 1849 and 1850, evidently attributable to the general condition of the country, that is, to a passage through great privation, misery, and political excitement to a state of comparative abundance, comfort, and tranquillity, we conclude that the fluctuations in commitments in comparisons of *short* periods are referable to causes foreign to our present inquiry, and afford little evidence as to the *general* rate of increase or diminution of criminality. But we see no reason to distrust comparisons for *lengthened* periods. The commitments in 1805 for trial at the Old Bailey Sessions (Report 1816, p. 421.) were 980, and the number increased every year till in 1816 they reached 1883, equal to an increase in ten years of 70 per cent. more than the increase of population. The Committee of 1828, comparing the seven years ending 1817 with the seven years ending 1827, reported that crime was increasing 36 per cent.

* In January, 1840, the Police District was extended over an additional population of 267,266.

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faster than the population. Our table shows that in the last ten years it is not increasing quite so fast as the population; and the improvement is really greater than the figures show, because the average of the last quinquennial period is swelled $6\frac{1}{2}$ per cent. by the disastrous years of 1847 and 1848, and because the proportion of detected to undetected crime is unquestionably greater than at previous periods.

We may also fairly compare the general state of the Metropolis with what it was formerly; public tranquillity and decency were in those days habitually outraged. The first duty of the police was to stop this open shame and drive the vicious back to their secret haunts. This has been so effectually accomplished, that some of the things described by witnesses before the Committees on Police, seem like tales of another country. No member of Parliament would now venture to say that it was dangerous to walk in the streets of London by day or night. We have nothing now of the old amusement of bull hunting, which was regularly practised on Sundays and Mondays in parts of the Metropolis. A bull, purchased for the purpose, was worried and tortured into madness, and then hunted through the streets, a couple of thousand people joining in the pursuit. In this brutal sport all sorts of outrage prevailed, the lives of the passers-by were endangered, and on one occasion three people were killed. The lowest blackguards were accustomed to assemble round the doors of places of worship to insult those who were going in. Gangs of fifty or sixty boys used to gamble on Sundays in the streets: indecent songs were openly sung in public thoroughfares. Bad as the dens of infamy in London still are, they are not to be compared with those older places of hideous profligacy, which the hardened police officers speak of as 'most dreadful.' There were streets into which a constable would not have ventured without a guard of five or six men. In the more disorderly parts of the town, such as St. Giles, Covent Garden, and Holborn, the streets every Sunday morning exhibited the most outrageous scenes of fighting, drunkenness, and depravity, which the parochial authorities were quite unable to repress. It will hardly be credited, says a witness in 1831, that within seven years of that time, on the occasion of West End Fair, the police were set at defiance, people were robbed in open day, and women were stripped of their clothes and tied to gates by the road side. Crimes too are greatly diminished in atrocity. The large gangs of desperate robbers, thirteen or fourteen in number, now no longer exist, partly from being broken up before reaching the most advanced stage of criminality, and partly from not

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being driven to desperation by the unsparing resort to capital punishment. There is something quite appalling in Townsend's evidence before the Committee of 1816. He remembered when there were frequently ten or fifteen highway robberies in a week; he had seen forty persons hanged at one time, in two batches; he had heard the Lord Chief Justice Eyre charge the Grand Jury at Kingston thus:—'Whatever bills you find, if 'the parties are convicted of a capital offence, I have made up 'my mind, I will execute every one;' and, Townsend adds, 'he did so, he never spared man or woman:' 'there were four 'men and three women convicted of robbing a pedlar, who 'afterwards escaped by jumping out of the window; they were 'all hanged in Kent Street, opposite the door,—and, I think, 'on Kennington Common eight more, making fifteen,—all that 'were convicted were hung.'

The great improvement that has been effected since those times suggests of course the inquiry, cannot still more be done? We fear not much: nor, indeed, must we expect too much from any merely punitive system: a proportionate amount of crime will always be thrown up by that troubled sea which can never rest, the criminal class of the population. There are numerous branches of crime on which the best police system has little effect. Grave offences against the person, murders, for instance, recur with such uniformity as to confirm M. Quetelet's statistics, and show they are incidental to a particular state of society. It is very remarkable that the increase of late years in the commitments for murder has entirely arisen from *female* crime; we subjoin the table which proves the fact, but we are unable to offer any explanation of it.

Commitments for Murder in England and Wales.

In the Five Years.	Males.	Females.	Total.
1835—1839	223	92	315
1840—1844	221	126	347
1845—1849	205	160	365

Most of the other crimes against the person arise from the violence of passion, and are committed regardless of consequences. Seditious offences, as was seen in 1848, grow up from political excitement as from a hotbed: minor offences, such as drunkenness and disorderly conduct, seem mainly dependent on social habits and national character. Of crime in general, drunkenness is said to be *directly* answerable for 52 per cent.: *indirectly*,

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says Mr. Clay, of Preston Gaol, for 'all but all.' Four-fifths of indictable crime is, however, theft without violence; and when this is so much influenced by the circumstances of the country as to be increased one-fourth in twelve months, it is impossible, with such excessive fluctuations, to trace the effect of the police system when once it has been brought to tolerable efficiency. But the real difficulty in the forcible repression of this description of crime is, that theft is committed by a separate class of the community, who are chained to that course of life by an influence stronger than any imaginable police—they must steal or starve. In this country, amid the press and struggle for daily bread, the honest man can hardly keep his head above water, the thief must go down. When character is gone, crime becomes a necessity. A thief must steal that he may live to-day, even if there was a certainty, and not only a chance, of going to prison to-morrow. Beyond a certain point, a perfect police would have little effect except in compelling the criminal classes to pass a greater portion of their time in prison, and increasing the number sentenced to transportation. These unhappy beings have generally been born and bred in crime, or have fallen into those habits at an age when they are incapable of foreseeing the full results of the first step; but the plunge once made, return (in this country, at least, for it is very different in a colonial settlement) is all but impossible; during the rest of their lives they must live upon the community, either in or out of prison, a better or worse system of police fixing the proportion between the two. But though there is no longer any room for great improvement in our police system, yet something still remains to be done, and the principles which have worked so well might, we think, be extended with advantage. Our limits compel us to draw to a conclusion, and we can do little more than enumerate the suggestions we have to make.

1st. The police of the entire Metropolis and its vicinity should be concentrated under a single management. The exception at present is the City of London, containing one-twentieth of the population and one-fourteenth of the property. The existing arrangement is confessedly a bad one, an obstruction to improvement, the fragment of an old system, which has remained when others of a similar character have been swept away. The right of shutting the gates of Temple Bar against the Executive Power was an important privilege so long as there was a real risk of aggression, but now circumstances are wholly changed; these old customs, like the Champion at the Coronation, or the Man in Brass at civic shows, are well enough as part of a pageant, but if treated as realities, they

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become mischievous absurdities. In Lord George Gordon's riots the City of London was in imminent danger of being burned and plundered through this Temple Bar folly, and from sheer respect to its ancient rights. And even now Temple Bar is impervious to a policeman, unless armed with a Secretary of State's warrant, issued at the special request of the Lord Mayor. The thieves, however, are troubled with no such formalities and interruptions. Suppose a foreigner, wishing to draw a lesson from the practical sagacity of the English people, was to endeavour to divine the object of this arrangement. His first supposition, of course, would be, that it was to facilitate the detection of crime: he would learn that it had precisely the opposite effect, and that the principle of divided jurisdiction in police matters had been abolished twenty years ago in all other parts of the Metropolis with manifest advantage. He would probably suggest that economy was the motive, and would hear that on the contrary it entailed an additional charge of about 15,000*l.* a-year. He would conclude that it had been forced upon the citizens of London; but would find that it was they who forced it upon the Government. He would suspect that, after all, there must be some undefined dread of aggression from the Executive, until he was informed that so far from the citizens dreading the late Prime Minister, he was their representative in Parliament, returned by the popular interest. He would ask why then had not the Prime Minister removed the anomaly; when he would be told that foreigners cannot understand the working of the British Constitution. He would beg to know the advantage of this singular privilege, and must be answered—none whatever, except that it had been considered valuable in the days of Richard II. If he should say, it seemed extraordinary to him that the citizens of London should prefer an antiquarian fancy, and a little patronage, to the substantial interest of the great community around them, of whom they formed only a twentieth part,—no doubt, he would find that it seems extraordinary to a great many other people too.

2ndly. We require more uniformity of system throughout the country generally. The County Constabulary Act (2 & 3 Vict. c. 93.) has been adopted by the Magistrates for the whole of twenty-four counties, and for parts of five; but there are twenty-two counties that still continue the antiquated system of parochial constables; that is to say, are without any useful civil force. The adoption of this Act ought to be compulsory. We must rise above the notion that the repression of crime is only a local and personal duty. Crime concerns, not only the individual, the parish, or the county, but the nation generally; and

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the effort for its extirpation should be national likewise. The criminals of one district are constantly passing into other districts; and for a county in such circumstances to insist on its right to independent and isolated action, is nothing less than to claim the privilege of giving immunity to crime and of violating the primary obligation of a political society. A magistrate or police officer of one county should not be regarded in another as an interloper; wherever he goes, he should be considered an officer of *justice;* and in the discharge of that universal duty, county distinctions, and all distinctions within each county, should vanish. Our police system will not be perfect until the criminal population is placed at all times and in all places under effectual supervision, and police information is made available to all:—until we have an efficient organisation in each district for local purposes; and the whole so far combined, that the simultaneous exertions of many may be directed systematically, continuously, and in harmonious co-operation, to the common purpose of detecting and repressing crime. The Frimley murder illustrates our views. The county of Surrey, in the exercise of the discretion given to it under the County Constabulary Act, chose to retain the old parochial system. Near Frimley, in a wild and wooded district, a gang of ruffians congregated, safe from the intrusion of the police of Berkshire, Hampshire, and the Metropolitan District, and treating with well-founded contempt the efforts of the parish constables. A series of outrages kept the district in alarm, but nothing was done until a burglary, accompanied by a frightful murder, startled the community into a determination to root out the evil. It was then felt what a weak and wicked absurdity it is to adhere to an inefficient organisation, however old and constitutional. When men are in earnest on matters of life and death, they are not to be turned from their purpose by idle talk about 'centralisation' and 'gendarmerie,' and so the Surrey Magistrates established a proper County Police. We trust to see the example followed in other counties: and surely a heavy responsibility lies upon those who will do nothing, and take no warning from the experience of others, but wait until the lesson is written on their own doors in the bloody characters of murder.

3rdly. The third measure we advocate is an extension of the summary jurisdiction of the police magistrates in cases of simple larceny, but especially in cases of assault. It is quite shocking to see how grossly justice is denied to the poor in these cases, because they cannot afford to put in motion the expensive machinery of the higher courts. It is of constant occurrence to read of an inhuman outrage upon some wretched woman: the ac-

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cusation is proved in a few minutes; the woman, too poor to afford time or money to prosecute, prays the Magistrate to take the case into his own hands. He reluctantly consents, and the miscreant is fined 5*l.*, or two months' imprisonment, punishments so inadequate as to be a mere mockery of justice. Now we know how unpopular it is to suggest any limitation of the right to trial by jury. It is called the Palladium of British Liberty. We cannot, however, but think that the advantages of Jury Trial are bought too dear at the present day, as often as the insisting on them in a particular class of cases precludes the parties from Courts of Justice altogether. This prejudice too often secures impunity to crime. Speaking of matters within the reach of law, the only tyranny in this country is the tyranny of the thief and the ruffian over the honest and the helpless. What were once the safeguards of the innocent are frequently now only the safeguards of the guilty; and when the guilty is acquitted, our motto tells us that 'judex damnatur,' and not only is the law condemned, but the injured man wronged and oppressed. We have accumulated means of resistance to arbitrary power far superior to a dogged resistance of every form of trial, but trial by jury; and trusting to them, we may safely apply ourselves to the work of perfecting our judiciary institutions, in order that, so far as social and individual differences permit, substantial justice may be done between man and man.

It is necessary to bear in mind that the function of a jury is confined to the question of guilt or innocence — it has nothing to do with the *measure* of punishment. In the cases we speak of, the question of guilt or innocence is invariably of the simplest description. One man is as competent to decide as twelve; and any one Police Magistrate, from his legal education and habits of legal investigation, more competent than an ordinary jury. In fact, there never is any room for difference of opinion except as to the amount of punishment, a question withdrawn from the province of the jury, and assigned exclusively to the Judge. We think, therefore, that in these peculiar cases, the argument derived from the sacredness of trial by jury does not apply against our proposal. It may be said that the power given to Police Magistrates is as much as can be safely entrusted to an individual. But said with what consistency? Is it reasonable to give him power to fine 20*l.* for stealing a dog, and limit it to 5*l.* for half murdering a woman? One of the greatest improvements of late years is the County Courts, where a single Judge exercises jurisdiction in civil matters to the extent of 50*l.* And is there anything in criminal matters which renders a criminal Judge, except a squire under the Game Laws,

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less competent or less trustworthy? A Chairman of Quarter Sessions has practically the power of transportation; the Recorder of a borough can sentence to two years' imprisonment; a County Court Judge can determine to the extent of 50*l.*: and if a London Police Magistrate had the power of fining to the same amount, or passing a sentence of twelve months' imprisonment, we see no reason to believe it would be abused; and it would in some measure correct the scandalous evil of which we complain. It is almost impossible to separate this question from our next proposal, and we therefore pass to it at once.

4thly. We require a Public Prosecutor. At present, whatever is the principle of our law, its practice appears to be, that a crime against an individual only concerns himself personally, and that private vengeance is the proper mainspring of justice. We need not reiterate the statements so often made to show that the expense, trouble, loss of time, and general annoyance of a prosecution, are so great as, in innumerable cases, to deter private parties from coming forward, and thus to encourage crime by increasing the chances of escape. Lee, an old officer, declared before the Committee, that $\frac{19}{20}$th of prosecutors in the Criminal Court would never prosecute again. The singular slowness with which the English have hitherto accepted the plainest improvements in their law was never more strongly shown than in the indifference of the English profession to the striking success of the institution of a Public Prosecutor, now long verified beyond all controversy in a country so similar and so near at hand as Scotland. In the absence of a proper officer, the necessity of having one is so glaring, that, to supply his place, resort is had to all sorts of contrivances. Sometimes a policeman is bound over to prosecute, simply because he is a witness. When Mr. Pate was committed for striking the Queen, Sir R. Mayne, the Chief Commissioner of Police, was bound over to prosecute, though he had no knowledge of the case more than any other man in London; and there are reasons why a Commissioner of Police should not be a prosecutor, especially when the Sovereign is concerned: the only excuse is, that it was a mere form. When Lord William Russell was murdered, the Solicitor of the Treasury was, in fact, the prosecutor. In the case of the Sloanes, the Poor Law Guardians were the prosecutors. If the wretched girl had not been a workhouse pauper, in all probability the duty of prosecuting would have devolved upon the Solicitor to the Treasury. Though there is little to be said in praise of this system of extemporising Public Prosecutors, it is, at least, better than nothing. If, in the case of the Sloanes, the brutality had been less disgusting, and the complainant had been some poor old

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woman, frightened at the very look of a police officer, and too poor to prosecute, the result would have been very different — it would have been treated as a matter of summary jurisdiction, and the Sloanes would have been fined 5*l.* each. Our readers may, perhaps, think that this is impossible; but if so, they do not know how justice is mocked in this country by an imperfect system of criminal judicature.

In the 'Times' of the 6th of May, 1851, we read that Henry Bell Brown, Minister of the ——— persuasion, and Eliza his wife, were charged at the Ryde Petty Sessions with brutally, cruelly, and inhumanly treating Eliza Cox, a poor servant girl in their employ, aged fourteen. They beat her, it was said, every day, sometimes with a whip-handle, sometimes about the head with a pair of boots, sometimes with a stick cut for the purpose in the shrubbery, and sometimes they dragged her about by the hair of her head. Not satisfied with beating, they starved her also, feeding her on bread and water, and but little of that. Proceeding to accumulate one cruelty upon another, they poured several buckets of cold water over the miserable child, and then locked her up in her dripping clothes in the back kitchen for twelve hours. Being roused before daybreak from that slumber which sometimes for a brief interval cheats the oppressor of his victim, she was threatened with the cold water again: and, in the agony of her terror, she ran away. In short, bating some of the disgusting circumstances, but nothing of the cruelty, it was the Sloanes' case over again; and the helpless girl was sinking under the merciless cruelty of her tormentors. When the master, the mistress, and the slave were brought into Court, there was no question about guilt or innocence, a glance at the child's body when her frock was removed settled that point, — all that the law had to do was to provide a due measure of punishment; and that was done after the following fashion:— 'The Chairman addressed the defendants, and expressed his 'regret that there was no fund to defray the costs of a prosecu- 'tion, or he would commit them for trial at the Winchester 'Quarter Sessions; as it is, however, we inflict the heaviest 'punishment on you the law allows, and that is a fine of 5*l.* 'each — which was immediately paid.'

Now that a girl should be thus savagely treated, and that the heaviest punishment inflicted on her tormentors should be a fine of 5*l.* each, is, as a mere matter of fact, sufficiently disgraceful; but that this should have occurred solely and entirely *because* she was utterly poor and helpless, and that such a result is deliberately anticipated — we may say insured — by our laws and the rules of our Courts of Justice, is a crying scandal and deformity, especially in a land which presumes to boast that

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Christianity — the Christianity which commands us 'to seek 'judgment, to "righten" the oppressed, to judge the fatherless, 'and plead for the widow' — is part and parcel of its law.

Such being the state of the law for the poor, we may now inquire what it is for offences against the property of the wealthy, and what latitude of punishment is allowed to Judges when once guilt is determined. We take the simple case of a gentleman having his pocket picked of a watch value 5*l.*, and have only to turn to the next day's 'Times,' May the 7th, for an answer: — 'Samuel Warner, for picking pockets at the 'opening of the Exhibition, was sentenced at the Middlesex 'Sessions to *nine months' imprisonment, with hard labour.* Mr. 'Sergeant Adams said that picking a pocket inside the Crystal 'Palace would be punished by *transportation*, even though there 'had been no previous conviction.' This threat was carried into effect, and a pickpocket detected in the Crystal Palace was *transported for seven years.*

We think that the inequality of punishment disclosed in these instances calls for revision, and that the jealousy which sacrifices so much in order that in the plainest case the question of guilt or innocence may be decided by a jury, might now, with advantage, be turned towards the great object of all judicial proceedings, — the dispensation of substantial justice. We think that part of the evil might be remedied by investing properly qualified and responsible Magistrates, exercising summary jurisdiction, with a wider discretionary power as to punishment. The appointment of a Public Prosecutor, desirable on other grounds, would have the additional advantage of providing the Magistrate with a ready mode of referring to the decision of a jury those cases on which he entertained a doubt. Those who still object to the Public Prosecutor having any spontaneous action might agree that when the Magistrate wished to refer to a jury a questionable case, or where the complainant was unable or unfitted to carry forward the prosecution, or where, from any cause, there was a manifest probability of a failure of justice, he should certify the case, and thenceforwards it should be taken up by the Public Prosecutor. It will be remembered that we are not now proposing any general alteration in our criminal judicature, but that this change should be tried in London, under the immediate notice of the Public and the Government, and only with reference to the paid Magistrates who sit at the Metropolitan Police Offices, whose qualifications, experience, and responsibility are a sufficient guarantee that the experiment would be tried with the least possible risk.

5thly. Our last recommendation has been anticipated by the

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present Attorney-General. It is the abolition of Grand Juries in the London District. This institution, long supposed to protect the liberty of the subject, now only protects criminals. It is a bar to justice, inasmuch as it needlessly increases the trouble, expense, loss of time, and annoyance of witnesses and all parties concerned. The inquiry which it makes, viz., whether there are grounds for putting the accused on his trial, has already been made, and far more efficiently, by a Magistrate accustomed to legal investigations, acting under real responsibility, and with all the information before him. After this inquiry has been acted on, and the accused put into prison, twenty-three persons are collected together to go through it all again, without any responsibility, not advised as to law, only half informed as to facts, for they hear but one side, not seeing the depositions, and acting in secret — so that a bribed witness may with impunity give evidence totally contrary to what he gave before the committing Magistrate. That all may be in keeping, this worst possible investigation is made at the worst possible time. After the whole imprisonment has been undergone, the whole annoyance sustained, the whole expense incurred, the Grand Jury steps in and deprives the innocent man of the only amends in store for him, the triumph of a public acquittal. Instead of walking out of Court, acquitted in the face of day and before the country, he is smuggled out at a back door, not punished, yet not acquitted, no one knowing or able to learn whether he is really innocent or whether he owes his escape to a mistake, to the dulness or favour of the jury, to a technical flaw in the proceedings, to the absence of a pacified prosecutor, or the forgetfulness of a bribed witness. The system itself is so bad in principle, that it is not susceptible of improvement; it is a mere nuisance, and should be abolished altogether.

Whether these or other more useful changes be adopted, the great principles to be kept in view, both in the judicial and executive branches of police, are uniformity of system, promptness of action, and undivided responsibility. Our ancestors, having no way by which the nation collectively could express its will, guarded their freedom by a variety of checks upon the Executive, and a system of local administration. The power of the House of Commons enables us now, with perfect safety to our liberties, to discard these contrivances, and adopt more vigorous institutions; our powerful Metropolitan Police force, under Commissioners responsible to the Home Secretary and, through him, to Parliament, being as strictly constitutional in principle as the Saxon tything men and headboroughs. But

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the jealousy which watches such changes is slow in subsiding; and it is no little praise to the Police Commissioners that the opposition which at first encountered them has been succeeded by feelings of an opposite character; there is now a growing disposition to support and countenance a policeman; and among the poor he is considered their protector — so that if improvements are to be effected in this direction, no advantage will be gained by postponing the consideration of them to a future period.

ART. II. — *Harington's Analysis of the Bengal Regulations.* London.

MR. CAMERON has lately presented to Parliament a petition, drawing attention to the neglected labours of the Indian Law Commission.

While two Committees are sitting on the Government of India, it cannot be amiss to call the notice of the public to the importance of the subject of Police in that portion of our empire. In his very clever account of 'Modern India,' Mr. Campbell has devoted great portion of a chapter on Criminal Law to this question. This is the part of our system which appears to least advantage; especially in the fact that the worst offences are the most frequent in our oldest provinces. Mr. Campbell attributes the failure of the Police, partly to the difficulty of obtaining in India that combination of physical qualities with intellectual, which is necessary to make a good policeman, partly to the want of selection and of training in the case of the village watchmen, of whom there are 160,000 in Bengal Proper alone, partly to the scattering and subdivision of the police authority, both village and district, instead of creating a uniform system, and lodging the requisite power in one energetic hand — according to the decisive example set at home, which we have described in the preceding Article. In a recent Draft of Desiderata for British India by a native association, we must not be surprised at the suggestion that the Village Watch should be continued and *its municipal character be retained.* One exception exists in the case of the Special Police introduced for the suppression of professional Thugs and Dacoits: and both the evil and the remedy are so singular that we are tempted to lay the description of them before our readers.

'The district police dealt with local criminals. But it was found that there were classes of professional criminals, carrying on their trade with great art and skill and confined to no particular localities,

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but travelling all over India, and with whom no local magistrate could at all cope. Travellers, both honest men and robbers, pass daily unquestioned and unnoticed from one end of India to the other. Hence it happened that the travelling murderers murdered the honest travellers at a distance from their homes, buried the bodies with artistic skill, no one remained to tell the tale, and the best local magistrates might know nothing either of the murderers or the murdered. These were the Thugs. Again, there are the vagrant wandering gipsy-like classes, generally with some ostensible occupation,—feeding cattle or carrying grain, or killing game and vermin, or dancing and singing. But many of these are professional gang-robbers; and passing, as they do, at liberty from one district to another, no magistrate knows anything of them, nor could in any way distinguish different parties. Hence, if any night they committed a robbery in one district, and a couple of days after were quietly encamped like a multitude of other such parties a hundred miles off, following their ostensible trades, it was most difficult to trace them. These were the professional Dacoits. In the native States, the Thugs and Dacoits were not so unmolested as with us; they were much more likely to be, without any particular accusation, stopped and searched and roughly handled by any local official, who thought they professed no good; and, if evidence of dishonest pursuits were found, a dreadful punishment was wreaked on them, without regard to systematic proof of a particular robbery, or they could escape only by giving up many years' earnings. But, under us they shared in the general liberty of the subject. An inspector of police, however much he suspects them, could not interfere, when he had no particular crime to lay to their charge,—no prosecutor, no witnesses, and the probability of only getting into a scrape. And, if an over zealous magistrate seized a party and perhaps found a miscellany of property, evidently not honestly their own, it most frequently happened that they had brought it from distances—the owners were not to be found—no case could be sent up for trial, and the magistrate was obliged to release them.

'Hence it began (about Lord Hastings' time) to be apparent, that both these crimes were increasing, and that some measures were necessary. Finally, a peculiar police was established for the purpose under Colonel Sleeman (author of various publications on the subject), which was most successful. Our ordinary police is more preventive than detective: but this was a purely detective force. It was entirely unconnected with the local police, but armed with general powers, both in our own territories and in most of the protected native States. It principally worked by a great system of approvers—men whose lives were spared on condition of their faithfully serving Government, and to the accuracy of whose statements many tests were applied. The superintendent of the new police and his assistants were entirely freed from the ordinary checks and restraints. They were in no way responsible to the Sudder Court, or to any local authority, but only to the Supreme Government. They were permitted to retain prisoners under trial for any length of time—to separate them to different parts

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of the country—to make them over to the old approvers, and to worm the truth out of them after the German fashion by any means short of actual torture. Committals by them were to be tried by any judge, without regard to venue; and the most important point of all was that, by a new law*, a man, though not charged with any specific crime, might be tried for "having belonged to a gang of pro-"fessional Thugs or Dacoits," and being convicted was subjected to the penalties of Thugee or Dacoitee. The police force and approvers were organised after a semi-military fashion. The assistants of the superintendent were stationed in different parts of the country, and sent out their parties with approvers on detective expeditions. Minute lists were made of all persons satisfactorily denounced as professional criminals, and who were to be seized wherever found; and the motions of the different gangs were traced and followed over all India. The first gang, through whom every thing effectual was discovered, was kept seven years under trial before any thing could be established against them. At the end of that time, they confessed and turned approvers. All the information they could give was taken advantage of. Many were seized, many confessed, the truth of many stories was established by strong corroborative evidence. A very large number of criminals were convicted, many punished, and many made approvers. The approvers have life, but no actual liberty. Those who do good service have many indulgences, but sentence of imprisonment for life is recorded against them. Their stories are tested by the discovery of bodies and of property, the verification of the loss of travellers, of whose murder they tell, and so on. The account given by one man is compared with that of an associate in a person a thousand miles off, and his with another somewhere else; and altogether so minute a system of checks is established, that with really efficient supervision, falsehood becomes almost impossible. The result was the seizure and suppression of almost all the professional Thugs, and the greater number of the professional Dacoits, and the end desired has been admirably attained.' (*Modern India*, c. xi.)

Mr. Campbell truly adds that it must indeed be a desperate case, in which a system, so liable to abuse, is admitted to be a necessary weapon.

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* This might have been taken from our Tudor legislation against gipsies: on the other hand, in the place of W. Hastings' regulation of 1772, for selling into slavery the families of Dacoits, it is gratifying to read of an institution at Jubbulpore for taking care of the children.

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ART. III.—1. *Saggio di Storia Patria di Angelo Brofferio.* [An Essay on the History of Piedmont. By A. BROFFERIO.] Turin: 1851–52.

2. *La Buona Novella, Giornale dei Cristiani Cattolici secondo la Chiesa Primitiva, abitanti le così dette Valli di Piemonte.* [The Glad Tidings, a Journal of the Waldenses.] Turin: 1851–52.

3. *Storia della Monarchia di Savoia.* Di LUIGI CIBRARIO. [A History of the Monarchy of Savoy.] Turin: 1840. (In continuation.)

PIEDMONT is a State of God's own making. The barrier which Providence reared up for the defence of Italy stands yet unconquered, after the enslavement of the whole Peninsula. The Alps, which failed to make one State of the land they encompassed, gave at least rise to a Border State, which may, perhaps, yet work out the deliverance of the rest of the country. The political position Piedmont now occupies is more important even than her geographical; and few European questions can be so interesting at present as those in her history, or character, or relations, which concern the probability of the maintenance of the independence and constitution she has achieved.

Out of the various mongrel communities made up rather by fortuitous aggregation of territory than from development of national elements in the eleventh century,—at the time, that is, that the new European families came into being, and before the limits of their respective abodes could be distinctly established,—of all frontier States, Piedmont, almost alone, attained in course of time a national character.

Placed originally astride the Alps, where the French and Italian people touched upon one another, Savoy wavered for a long time between East and West, between North and South, like an eagle hovering near his eyrie, uncertain whither to wing his first flight. But the course of events gave it at last a southward impulse. Savoy merged into Piedmont; and this strove for ages to become, and is now, thoroughly Italian.

It has been sneeringly remarked by those who wrote in disparagement of the Princes of the House of Savoy, that it took them eight centuries to put together a kingdom which may be traversed in four days' march (*quatre étapes de territoire*).* But it is, perhaps, not easy to name another State whose increment

* Cattaneo, Insurrection de Milan, Paris, 1848.

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has been more uninterrupted; another State that has better known how to repair its losses and turn its very reverses to account.

Independent of mere chance, independent of the material strength of that Alpine fastness, and of the task it imposed on its holders, as guardians of the most important European passes, there is no doubt but much of the steady success and prosperity of Savoy was owing to the high spirit, the daring, and energy, and still more to the craft and moderation, of the long and illustrious line of its native rulers, no less than to the vigour and earnestness, the devotion and docility, of its people; who not only knew how to make the best of their natural advantages, but understood, also, how far those advantages should be trusted.

The people of the Sardinian monarchy were all that their masters wished them to be; always something better and something worse than either French or Italian. They never shone by the most brilliant qualities, never were disgraced by the most lamentable faults, of either nation. It would be vain to look among them for that wild and wayward valour which gave lustre to the castellated nobility of the first-named country; vain also to seek for that riotous but laborious energy which called forth such an exuberance of life among the Tuscan or Lombard cities. Nor do we even meet in the annals of this Alpine people, with frequent instances of that sturdy, headlong love of liberty, which gave a few ill-armed Swiss villages all the firmness of a rock against the ocean-might of whole imperial hosts. The Piedmontese were always an army rather than a people; less a community than a garrison; and military rather than warlike: for but little of the dashing chivalrous spirit of a true martial race was ever discernible in their character. Hardly ever called upon to do war on their own account — hardly expected to engage single-handed, either for offensive or defensive purposes, the Piedmontese were carefully fitted for this subordinate auxiliary work. Their leaders kept aloof from the encouragement of any thing like vastness of conception, any thing like transcendent devotion on their part: made no appeal to their dearest, holiest feelings. They used them like machines, for plodding, plausible, positive undertakings. Sluggish, impassive warriors, all intent upon watching the great game of politics, unmoved till they could see what the chances of war should turn up for themselves, the Princes of Savoy bade their people lie still, like a sword in its sheath, only to be drawn and thrown into the scales of fate when the force of circumstances should give it a weight not its own.

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A people that was constantly to be put to such uses, could not, it is clear, be plied with those great movers of human actions, love or fear; since the position of the present moment might be instantly reversed, and the allies of to-day become enemies to-morrow. The very elation of success, or the courage of despair, would be equally visited with the frown of a cold calculator; into whose plans defeat might enter as well as victory, whose elevation must, at any rate, be unobtrusive, and who would in most instances rather trust to timely compromise than to strenuous resistance.

There is, however, something like civilisation in this direct soldierly training. The dressing up and drilling of mere boors, the habits imparted to them of order, cleanliness, and punctuality, if carried on to a great extent amongst a whole population, will infallibly be attended with signal social and moral results. Those men of the Alps and Apennines were by nature a hardy, frugal, long-enduring race. Much of their native ardour was, indeed, put down by a narrow martinet discipline; but from very uniformity a new character arose: the regiment became the soldier's country, at the same rate that the country was organised into a vast regiment; military devotion superseded local patriotism; loyalty to a leader supplied the want of the more natural ties of blood and language. Even loyalty, like any thing else in that singular community, was either very lukewarm or undemonstrative; for the Princes of Savoy had a horror of enthusiasm, albeit in their own cause. But a strong appeal was made to it for once, at least, during the siege of Turin, in 1706, and loud and effectual was the answer given.

Piedmont in the hands of her princes became thus a willing steed, well broken, ready saddled and bridled from the outset. Conspiracy or rebellion never were rife in this community, and but seldom murmur or discontent. Even in the worst of times, without any thing like a decided character, or an acknowledged capital for a leading centre, the people had too little life, it formed too insignificant aggregates here and there, to feel its grievances very keenly, or to give them distinct utterance. With the exception of the troubles of the Reformation in the districts of the Leman, and of the cruelties exercised against the Waldenses—the real serious blot on the escutcheon of Savoy—the sufferings of the people were rather negative than positive. Military service, indeed, could not but always have proved onerous, especially amongst a peasantry not naturally warlike; and the necessity for a considerable war establishment caused a constant drain on the people's resources. But the Piedmontese

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were aware of the peculiarity of their position; they felt that, lying in the way of all European hosts, they must, under all circumstances, put up with a great deal of trampling, and that their best safeguard lay in the assumption of a firm, imposing attitude. They therefore willingly lent their co-operation to a prince who contrived to indemnify them for their losses by levying a toll on those tramplers, by laying hold of the spoils of such as fainted in the march or were worsted in the fight. Their chieftains, for the most part, knew how to profess the strongest zeal for peace, and to maintain the air of being dragged into hostilities in their own despite. For a plainly defensive warfare the most ample supplies were sure to be cheerfully yielded; and indeed so long as temporary sufferings were made up by ultimate success, it probably would not signify much whether their sovereign had taken the field on warrantable grounds or was engaged in a quarrel of his own seeking.

From this state of easy and silent, if not contented, supineness, the people of Piedmont might, by their own instinct, never have been roused; for the main spring of action, a great capital city was, as we have said, wanting, and with it all the throb and pulsation of national life. With that cramped Turin, — pent up within the compass of its fortifications, all castle and barracks, mere court and garrison, scarcely ever cheered by the presence of accomplished foreign visitors, with its cold, formal, bigoted royal household, cut off both from French enlightenment and Italian refinement, — Piedmont was merely a passive, neutral, stationary nook of a province; a half-priestly half-soldierly fraternity; a drumming, bell-ringing community: it had nothing in itself, and received but little from abroad, to relieve its weary days of dull sameness.

But the day dawned for a general European awakening. The daring spirit of inquiry which the writers of the eighteenth century had evoked in France was responded to, on the part of Italy, by vague but earnest national aspirations. Both these distinct but not incompatible social movements were felt in Piedmont. The priests, always the bane of Piedmont even more than of any other Italian land, had of late tightened their leading strings on the people; or perhaps the strain was made insupportable by a certain, however imperceptible, advancement of the human mind, which those extinguishers of light would take into no account. By this time, also, the work which had commenced since Emanuel Philibert, in the sixteenth century, — the naturalisation of Savoy into Piedmont, and of this latter into Italy, — was all but complete. The Piedmontese began to long for

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their legitimate share in the little that might yet be said to remain of Italian glory. They had too long and too unsuccessfully been aping the French. They had too long been kept apart from their real brethren; and they attributed to this estrangement — to this denationalisation — all that had been most unjustly laid to the charge of their native sluggishness or obtuseness of genius.

It was only in the eighteenth century that Italian literature and art may be said to have become acclimatised to the latitude of Turin; but then all the real strength of that generous Piedmontese soil was made apparent in the production of that stern genius, who may, perhaps, be equally called the last or the first of the Italians, — Alfieri.

If ever an individual deserved the distinction of standing forth as a 'representative man,' — if ever a superior mind embodied all the character of a struggling, aspiring age and country, — certainly Alfieri must be looked upon as the prototype of the Piedmontese in the eighteenth century; as certainly as Dante, whom, by his strength of mind, he resembles more closely than any other Italian, was the harbinger of a new era for Republican Italy in the Middle Ages. Alfieri, doffing with disdain the officer's uniform, that livery of his country's servitude, spurning the ignoble leisure and frivolous duties of courtly routine, and vindicating his title to a man's dignity, asserted his mastery over his thoughts and deeds by the sacrifice of all his patrimony, at the same time that, for the sake of nationality, he submitted to an almost childish apprenticeship in the Tuscan dialect, and began a hero's mission by a schoolboy's toil and discipline.

But an era of disorder, of delusion, of utter bewilderment, was at hand. Seduced by the speciousness of revolutionary theories, the Piedmontese departed from the dictates of that traditional, however artificial, patriotism which, for so long a lapse of years, had made them one family with their rulers. These latter, also, for the first time since Humbert the White-Handed, the founder of their dynasty, showed themselves inferior to their destinies. In that great demand for transcendent abilities, the House of Savoy did not boast of a single man. The complication of abuses which had crept upon the military organisation of the State became, on a sudden, apparent. The Piedmontese army, led by officers whose inexperience equalled their presumption, though in numbers stronger than ever, had lost all real efficiency. It achieved but little for its own reputation, nothing for the safety of the State.

That army had, also, nothing to fall back upon. Eagerness for innovation made the people lukewarm in a cause which it

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was in vain to represent as its own. For the first time the Piedmontese gave signs of sympathy and aversion. They yearned towards their Gallic foes: they evinced disgust and disdain for their German confederates.

Thus fell the Sardinian Monarchy in 1796. A long bitter season of disenchantment ensued. The French, whose every attempt at conquest is always marked by some glaring anachronism, attempted, in the nineteenth century, what would only have been practicable in the sixteenth. Other parts of Italy were merely subjugated, but Piedmont was absorbed. No notice was taken of three hundred years' training; none of recent unmistakeable aspirations. The Piedmontese were made French, by one stroke of the Directory's pen: with what success — with what satisfaction or benefit to themselves, the breathless rapidity of events hardly enabled the world to decide.

Without as much as unsheathing a sword, the Princes of Savoy came back, in 1814, from their inglorious exile. It is needless to say that, like other princes, they had taken no hint from misfortune, and that they exhibited no consciousness of the altered state of affairs; that they brought back with them their priests, their drill-sergeants, — all the old system in its effete mechanism. The rulers themselves were, of course, the only thing that now stood still in Piedmont. The people were anxious for a trial of their strength and speed in the race of nations. They fretted round the throne like the waves of an angry ocean round a rock, sure in the end either to force it along, or to overwhelm it. But it was something more than the new social life common to all Europe that was developing itself in Piedmont. The fever of Italian nationality which ran throughout the veins of unhappy Italy, throbbed especially here, at the heart and temples. All that might still be hybrid and indefinite in the nature of the Piedmontese, added to their jealous anxiety to vindicate their birthright. Because the French had so unfeelingly trod upon it, because their neighbours were less willing to acknowledge it, they were all the more stoutly determined to make good their Italian nationality. The comparative youth and freshness, the wealth and prosperity of the country, gave Piedmont an earnestness and steadiness of endeavour which might be looked for in vain amidst the more weary and worn-out communities of the Eastern and Southern part of the Peninsula.

Unable to stem this mighty tide of advancement, the Princes of Savoy strove, but unsuccessfully, to turn it into different channels. So far as their priests would let them, they were not averse to reform; and something like important internal

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progress was indeed observable in the old institutions of the country; but there was that in its relations to foreign potentates which too plainly pointed to revolution. All other difficulties might be smoothed down, all other differences adjourned; but the national question enlisted the Piedmontese in the ranks of Italian conspiracy, and, as a necessary consequence, threw the Princes of Savoy into the army of Austria. By way of a mere feeler, the Piedmontese ventured on their partial constitutional outbreak of 1820. The event was such as they had anticipated; the result immeasurably greater than the mere event portended. Less than a day was sufficient to prove that Sardinia had ceased to be a free agent. The Princes gave way before the storm, only to come back in the wake of Austrian bayonets. They could not have rendered a more efficient service to the country. All local or partial disaffection subsided in one national yearning. Piedmont was identified with Italy; it would no longer stand or even triumph alone. The contest was now between Piedmont and Austria, and the people bade their rulers choose between them and their foe.

The choice was matter of long hesitation and perplexity; for on the one hand Austria offered, unquestionably, the most immediate chances of safety; and it was not to be expected of the Court of Turin that it should at once rid itself of its priests, who unceasingly represented the cause of the foreigner as that of Heaven and its own; and on the other hand those Princes could not free themselves from some compunctious qualms; for something of the old generous spirit, something of the far-reaching ambition of the founders of the House, still lingered at the heart of their successors, and the foreign yoke was perhaps as galling to themselves as to the best of their subjects: they felt that — would they only run a great risk — a great prize was possibly within their reach.

Thus they wavered and temporised: the old maxims of caution, of subterfuge, on which the policy of Savoy had, almost from necessity, been grounded for centuries, could not, and should not, be laid aside in a single day — least of all by the reigning Prince — the most feeble-minded and helpless of human beings. With longing and misgiving, Charles Albert looked upon the tremendous abyss he was urged to leap over. He waited, he prayed; he sought every where for arguments to force himself to what for him was at any rate an act of consummate temerity, only to be justified by success. He trifled with his own people; coquetted with the patriots of Italy.

But the march of events was too strong for this undignified game of see-saw. Before he was more than half aware of it,

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he found himself irretrievably committed; he was driven into the lists: with the trepidation of an irresolute character, he gave one battle — another — and was lost.

Peace be to his memory! Since he who so signally proved himself unable to conquer, knew at least how to die. It is not given to every man, by one hour of martyrdom, thus to redeem the errors of a whole life.

It is possible, and there are men who have laid an absurd stress on the mere surmise, that, up to the supreme moment, there was duplicity and tergiversation, as there certainly was want of entire confidence, in his movements. His precedents, truly, made that poor king too fair a scope for all the fatal mistrust and rancour which pursued him to his grave. But that he was 'in for it,' was matter of still greater certainty; the consequences of his steps were plainly inevitable, and not for himself alone. Piedmont was launched by Charles Albert upon a course from which his successors would find it all but impossible to recede.

It is on this point that his republican opponents were either blindly or perversely mistaken. In their hatred to the person of Charles Albert, they took into no consideration the principle he represented. In their mistrust of his uprightness and stedfastness of purpose they overlooked the force that was driving him. They paralysed Piedmont in their senseless opposition to its King. So much for 1848. But the position of Savoy was not the less totally changed from that epoch. There is an end for ever of her mean and precarious position between Austria and France. The question at issue is now between Austria and Italy; and Savoy, although prostrate in the field, has taken up the championship of the latter country. In the very hour of shipwreck she has nailed the national colours to the mast. A double defeat has taken nothing from the importance of her position. That Alpine State, it has been luminously proved by late events, is all of Italy which cannot die.

Than hers there never was a more arduous, terrible situation; none more beset with mortal dangers, or with more fatal temptations. At the moment we are writing, Sardinia has to deal with two great enemies, Austria and France, each of them ten times a match for all her unaided strength, both of them with great forces concentrated upon her defenceless frontiers, and which she can now no longer hope to pit against one another. She has at the same time to parry the blows of a third, more wily, more unsparing foe — Rome, whose advanced posts are already in the heart of the country.

Against such odds she stands her own ground, strong solely

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in the consciousness of her good cause, and of that undying prestige which, even in the utter depravation of this 'age of 'Louis Napoleon,' hallows it in the heart of all mankind. This mere instinct, so long as both government and people are true to it, is sufficient to hold Piedmont up against any thing that French arrogance, Austrian brutality, or even priestly cunning can contrive, to do her harm. Nay, she is sure of triumph in the end; for there is a bourne to evil, even upon earth, and in God is 'plenteous redemption.' Italy cannot fail to take the field once more, and no blindness of partisanship, no local jealousy can hinder Piedmont from again being — what she was called by way of contempt in the days of Charles Albert — 'the sword of Italy.'

It is not, be it remembered, with the destinies of the House of Savoy that we are concerned; for these are wound up with the common lot of royalty all over the world: and the good sense and good will of which the mild and easy Victor Emanuel III. has given so rare an instance since 1849, may not screen him or his successors from the wrath now too justly, though indiscriminately, condensing upon the crowned heads of continental Europe. On the other hand, he is well aware that his worst enemies are actuated by no jealousy of his power distinct from his independence, by no ambitious designs upon his territories; that nothing, in the most desperate case, would be easier for him than to propitiate even France by the sacrifice of those barren, transalpine districts, to which only the monuments and traditions connected with the cradle of his dynasty attach a domestic interest: he is aware that all the animosity of those formidable neighbours is merely aimed against his honesty and consistency, against that lofty position which fidelity to his engagements gives him above the crowd of perjured sovereigns; he knows that would he only become one of them — stoop to the level of their political profligacy — it were always in his power to turn the bitterest of these foes into a potent auxiliary, with whom he might run the gauntlet against nations, taking even such chances as that desperate game offers to the strongest of them.

But the edifice which the Princes of Savoy reared will stand, even were the builders to fall. Dynasties perish, whilst nations endure: and, we think, the House of Savoy has given birth to a people. The Piedmontese are the only race of men in Italy who have learned to obey. The loyalty which, as we have seen, either from love or gratitude, or from habit and necessity, bound them to their Princes, is in the course of being transferred rapidly to the law. Now the painful experience of the

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last sixty years has taught us that on this reverence to the law lie all hopes for the establishment of rational freedom. Men have too long cavilled about bills and refined upon charters; and we see them glad to escape from arrant lawlessness by submitting to the coercion of simple force.

This is what sixty years' revolution has done for France. The Italians, a mixed race, but with whom the Celtic blood preponderates to a formidable extent, have at all times evinced as strong a spirit of insubordination as their Gallic neighbours. That they were 'slaves indeed, but ever-fretting slaves,'* is their melancholy boast. Truly it would be unjust to expect from them veneration for laws that were so often thrust upon them at the sword's point; but it is a fact, and far more disheartening than the fiercest national calamities, that any chance for the assertion of self-control has invariably been thrown away upon the Italians. The only governments in which their republican ancestors were found to acquiesce, in days of yore, were those of Visconti, Este, or Medici — hideous tyrants, who drowned faction in blood, and who established a reign of force, preparatory to the triumph of foreign invaders.

We will not think the worse of the Italians for this; for, independent of that irresistible fatality which made them a stepping-stone to the rise of their neighbours, collective weakness may here be said to have been owing to excess of individual strength; and that it was only want of proper check and direction that gave Italian energy a suicidal tendency. Still the cruel truth is there, glaring before us. We have a few instances of the Italians asserting their freedom against their enemies; but none of their maintaining it against themselves.

Will Sardinia form the first exception against this all-sweeping observation? Have the Princes of Savoy, or the patriots trusted with the management of their State, found the means of governing their subjects, or rather of allowing their subjects to govern themselves? And this not merely without the help of a foreign Power, not only free from the ever-impending, however remote, terror of Austria, but in open defiance to it?—not only without need of the veil of darkness and superstition by which Rome hides the foulest stains in the royal purple, but boldly tearing that veil asunder, acting in broad daylight, in sheer despite of that and all other agencies of evil?

The even tenor of every day's doings must convey a plain answer to these important questions. The existence of constitutional Piedmont, isolated, in the midst of enemies who

* 'Siam servi, sì, ma servi ognor frementi.' (Alfieri.)

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would shrink from no fraud or violence to disturb its tranquillity, is one of those phenomena which merely become common-place from daily recurrence. The Princes of Savoy had drilled a whole people into an army; that army is now to be dignified into a people. It is the strictness and firmness of previous organisation which enable that people to be safely trusted with the two-edged tools of self-government. A constitution was awarded to them, an ill-digested, ill-fitting patchwork of outlandish statutes; but which, nevertheless, sanctions personal security and unbounded freedom of inquiry—the very substance of real liberty all the world over — and this is already more than what many a nation, both north and south of the Alps, have proved able to bear.*

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* The law on the press in Piedmont has lately suffered some modification. By the original statute, all suits for libel were to be tried by a jury: an institution existing in that State only for political offences. By a Bill brought forward by Government, and adopted by a large majority in Parliament in February last, exception is made in case of any attack against Foreign Powers, in which the Minister for Foreign Affairs takes the prosecution upon himself and brings the cause before the ordinary tribunals of the country.

So far as any justice can be expected from these magistrates, the liberty of the press remains unimpaired. Indeed, as we apprehend no greater enemy to freedom than licentiousness, we might have wished the jury done away with altogether, in case it should prove unworthy of public confidence; for we have no desire for impunity for libels of any kind; but we object to the exceptional nature of the measure, as it shows too plainly the fear by which it was prompted. The laws of a country should never allow the foreigner or any person acting in his name, means of redress beyond that which it extends to the subject. It was a measure of cruel necessity, perhaps, and we may feel all the pain and humiliation which it must have brought upon its originators. Nor are we quite sure of the groundlessness of such fears, though the Swiss Government, and a Belgian jury have shown more lately how an independent country should act in defiance of such unworthy considerations. On the one hand, it is impossible to foresee to what further concession a first act of submission may not lead: and, on the other, it seems to us very clear that the peculiar position of Piedmont renders its independence so much an absolute European necessity, that it can only fall a victim either to its own dissensions or to its pusillanimous apprehensions: in one word, only to its proneness to play false to its destinies. The next point the neighbouring despots will wish to carry with the Sardinian Government must be a reconciliation with the Court of Rome, and a Concordat. The papers have for a long time been full of such anticipations, and a hope to that effect has even been held out in the last speech

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Has then the discipline of eight centuries not been lost on the Piedmontese? Has it made them sober, discreet, manly? above all things, self-possessed?

All these qualities have been ascribed to lack of proper Italian spirit on their part; to their wanting that impulse which making Southern people capable of all extremes, leads us to expect from them fits of exaltation commensurate with the depths of previous abjection.

If it be so, Heaven be praised for it! The Piedmontese might have stabbed ministers or spirited princes away, as easily as their Southern brethren have done; and the consequence would be, the presence of Austrians at Turin, or of French at Genoa, as it has been seen at Florence and Rome. No! no! the Piedmontese knew how to obey; how to stop on the brink of the precipice: they preferred to go hand-in-hand with their rulers. Loyalty on their part called forth honesty on that of the latter: and it was that harmony, that mutual good faith and confidence, which spared the country the horrors of senseless reaction, the disgrace of foreign occupation.

And yet this fidelity, or, shall we say, this good sense and patience, of the Piedmontese has been, and is now, sorely tried. There has been no lack of what mischief-makers call 'opportunities,' for the people to follow the bent of their own inclinations. Two successive reverses in the battle-field, the costs of war paid both for themselves and their brethren of Lombardy, unbounded hospitality to thousands of houseless exiles — a variety of distressing circumstances have added to the burdens which the necessity for a disproportionate armament at all times lays upon this people. Ungenerous appeals to their provincial animosities, perfidious suggestions of a demagogy run mad, the treacherous plots of men who have nothing to lose, have not been wanting here; but the prevalence of good sense has hitherto

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of the Crown. For the sake of Piedmont and Italy, we trust that such expectations are at least premature. Every compact with Rome is more or less fraught with danger to civil liberty: and the Piedmontese have shown themselves sufficiently inured to Papal threats and interdicts, to be able to put up with a little more priestly displeasure, until at least some of the most important measures respecting civil marriages, free education, &c. &c., are carried through. The absolution of a State ought to be somewhat analogous to that of an individual. The later it comes, the heavier the load of sin it will clear off, the greater its efficacy. Venice, Austria, and France, at several periods, have shown how much can be made out of a good quarrel with Rome, even by those States who do not deem it expedient to break off with her altogether.

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been successful. Left to their charge, without the wonted incubus of an armed force, the Piedmontese have not only baffled all attempts at domestic disturbance, but have resisted attacks from abroad. By a mere outburst of popular indignation, in April, 1848, they drove the 'sympathisers' of Lyons from Chambery, and defeated at one stroke the manœuvres of French propagandism.

Truly, in the midst of this admirable accord, a jarring note was heard. Profiting by the disasters of Novara, in April, 1849, Genoa had her own day of madness, and set up her republican standard; but never did exception more egregiously prove the soundness of a rule than in that pitiful occurrence; since Genoa, only annexed to the Monarchy in 1814, had had no time yet to become Piedmontese. Even there, however, disaffection was neither wide-spread nor deep-seated. Repentance rather than force brought the city back to its allegiance. The integrity, and with it the independence, of the country was saved. There was, in short, a compact between the people and their sovereign. So long as the latter abided by it, no matter whether from a generous impulse, or from calculation or compulsion, the former deemed it equally binding upon themselves. That compact survived the crisis which gave it rise; both parties are now living under the same terms. Compromise has precluded all necessity for revolution.

With the instinct of real sufferers, the Piedmontese have immediately laid their fingers on the sore place. They have declared war to their priests. Anxious to make amends for the bigotry of his forefathers, the present king has bidden his ministers take the initiative, and put themselves at the head of this anti-clerical crusade. No government could have acted with more tact and wisdom, or with more fearless consistency: nor could it have been seconded with greater earnestness and unanimity on the part of its subjects. Even the old women took side against the priests. Those arrogant prelates, driven from Turin and Cagliari with unexampled ignominy, must at any rate have not a little damped the spirits of the Roman Court, otherwise too much inflated with its success in France, in Austria, in England itself.

Chapels are thrown open at Turin and Genoa for the preaching of the Gospel to the Italians in their own language; and pamphlets and journals are published under the inspiration of the long-tortured Waldenses, — who being now thoroughly *Italianised* with the rest of the country, have provided that none of their ministers shall be ordained, unless after a residence of at least two years at a Tuscan university, and are

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spreading their glad tidings (*la buona Novella**) on a ground not unprepared for their reception. A portion of Milton's prayer on behalf of the 'slaughtered saints' of his famous sonnet has a chance of coming to pass at last. For all this we do not mean to say that either Piedmont or Italy are in any great hurry to throw themselves into the arms of the Protestants. We must leave God to take care of his own Truth, and would only fain see it placed every where beyond the thrall of priestly tyranny.

Nor is it the Church only that needs reform in that old land of abuse. Aristocratic prerogative in the army, in the court, in all branches of administration, has struck root too deep for mere words to shake it: but the people are working at it with a will; and if the sovereign and his prime minister, the old painter and poet, the veteran patriot, Massimo d'Azeglio, should be both too fond of ease and pleasure to do much themselves, — (for of their uprightness and highmindedness, of their courage and energy in extreme need, no man ever doubted), — they are at least the most sincere disciples of the *Laissez-faire* school; and under them are men — such as Cavour and La Marmora, Siccardi, Farini, and a host of others, — eager to make up for any want of activity in their leaders. Piedmont has been handsomely rewarded for her frank hospitality to the Lombard and Tuscan exiles. Turin has become the Athens of Italy. The *élite* of Italian genius and valour from East and South has taken shelter there: the soul of the nation is stirring in its bosom. Meanwhile, the country may have no slight trouble in resisting the fretful improvident haste, too natural in men that live by hope only. For it is undeniable, that there is a wind abroad any thing but favourable, both from its direction and its vehemence, to human advancement. At the same time, the Piedmontese are strong enough apparently to withstand the blast, and wise enough to perceive that improvement can nowadays never proceed too cautiously and gradually to be certain and safe.

Piedmont, in short, has done much, and is sure to do more, for itself. Could it abstract itself from all national association, it would stand on the safest basis. For France must at no distant day awake from her present ignominious dream, and desist from all insidious or overbearing attempts on her neighbours' liberties; and Austria, in the midst of all her blustering tone, needs the most miraculous efforts only to keep her own. The mutual, eternal, inevitable jealousy of those two Powers will, under all circumstances, constitute the security of the interme-

* The title of an Evangelical Journal in Turin.

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diate State, so long as this latter is satisfied with its original position.*

But how long will Piedmont be allowed to run its own race, to follow its old policy, to keep within its old limits? How far can it control its own destinies, and consider itself a free agent? Behold, it has ceased to belong to itself; it has become one with Italy: it has a fearful pledge to redeem! It is not enough to say that Piedmont is arming for impending conflicts. The contest is waging at this very moment. Political organisation, freedom of discussion, already imply constant antagonism, active enmity with Austria. Every day in which Piedmont reconciles order with freedom, in which it proves the capability of the Italian people for self-government, it wins a battle for itself — for Italy — for humanity. This rehabilitation of a part, at least, of the Italian nation, is a preliminary step towards the emancipation of the whole country. The independence of Italy is half accomplished, when it is proved that she is worthy of it. It conveys too flat a refutation to the ungenerous assertions of those who would doom a nation to eternal death on the ground of its previous abuse of life. The contrast between Western and Eastern or Southern Italy — between the peaceful debate on laws in Turin and the state of siege at Milan, — is edifying to all Europe. Thus do the Italians govern themselves — thus are they governed by foreigners!

In this sense is Piedmont conquering Italy. We speak here neither of territorial aggregation nor of political subjection. When Naples, Rome, or Tuscany shall have learned to assume as firm and dignified an attitude as Piedmont has now already attained, little will it matter whether they form one compact State with it, or whether they join with it in a bond of confederacy. The advantage of solid organisation gave Piedmont all its preponderance in 1848. Prince and people came into the field with one mind and one will; — one body, under the impulse of one soul. The outbreak of the war of Lombardy was hailed as a signal for mutual amnesty. The eagerness for a great national effort blotted out the remembrance of all local differences; and those whom the hope of victory had united, no force of adversity could put asunder. Elsewhere the reconciliation was hollow. Hence that irresolution inseparable from mutual mistrust. Romans and Tuscans brought their evil passions on the battle-field of their fatherland. Prostrate under the heel of Austria,

* 'Signoreggiar ben ne vorríamo entrambi,
Ma l'uno all' altro il vieta.'
(*La Congiura de' Pazzi.*)

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they still indulged their ill-timed, however not unreasonable, rancour against their rulers. Party spirit would stop short of nothing but utter ruin, degradation, enslavement.

Happy is the Prince who holds his people, like his sword, in his grasp! The same evil spirit of mistrust and hatred directed its shaft against Charles Albert no less than against the Pope or the Grand Duke. Piedmont, as we have observed, was impeded in its march: Demagogy wrenched an all but assured victory from its hands, but did not succeed further in shaking its unity, in dividing it against itself. The mere nucleus of a State, limited in aspiration no less than in size, it was at least capable of singleness of purpose. With the exception of Genoa, it was one in the attack, one in the retreat. No trifling achievement was that: indeed, an unprecedented prodigy in the annals of Italy! At the time that Maurienne and Susa first acknowledged the rule of one Count in the North of Italy, Naples and Sicily were brought under the sceptre of one King in the South. Yet mark the contrast. That Southern State, inhabited by one race, bound to the same destinies, is eternally tending to separation. Remove the crushing force, and immediate dissolution ensues.

So much for the mere talent of constructiveness. Honour, eternal honour, to those who knew how to bring two or three Italian tribes to pull together. We will take the result as it is: without reference to the causes which led to it, or to the means which achieved it. To the shame of the human race be it said, it was every where tyranny — tyranny alone — that gave union and stability to great national aggregates. What Henry VII. did for England or Louis XI. for France, the House of Savoy achieved for Piedmont — perhaps for Italy. Shall that House reap the benefit of this indubitable, inestimable good which God was pleased to work through its agency? Shall a descendant of the Counts of Maurienne ever clutch the sceptre of Lombardy? That sceptre which complaisant genealogists suppose may be claimed as the heritage of Beranger II. of Ivrea; which, at any rate, has hovered dim and faint in the air before the eager glance of more than one prince of this cautious race.

The fate of the House of Savoy, we repeat, hangs on the scales on which that of royalty is weighed. Victor Emanuel III. would certainly meet with but little mercy at the hands of republicans, if he alone stood in the way of their universal scheme of democracy. Indeed, we are told he is weary of his royal game, and no one would, perhaps, be more fain to give it up, if he could hope, by following the example of his father, of the great Victor Amadeus, of Amadeus VIII., of so many

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others of his line, to do more for the public welfare than by consenting to remain in harness to the end of the course. The throne of Sardinia is as safe as any other in Europe, and no safer. We are not claiming for the dynasty that glorious era which seems so plainly to be in store for the State.

There are those who delight in fortuitous analogies; and derive their prognostics from vague coincidences of names and dates. For them the fall of the Roman Empire was bodied forth in the reproduction of the names both of the builder of the city and of the founder of Imperial power, in the person of the last wearer of the purple in the West. We leave these superstitious triflers to speculate on the probable career of the young heir of Sardinia, who happens to bear the very name of the White-handed founder of the dynasty; — a name, too, revived now after an interval of above six centuries. Is the reigning line to end, as it began, with a Humbert? or shall the work of the First Humbert be completed under the auspices of the Fourth?

Last King of Sardinia — or First King of Italy?

We raise not the curtain of coming events. We merely investigate the memorials of by-gone ages, and would not even vouch for the correctness of the saying that 'the Past is parent 'to the Future.'

The late ministerial crisis at Turin conveys a confirmation of all we have advanced. The extreme left, or democratic party, headed by M. Ratazzi — one of those hare-brained statesmen who hurried Piedmont into war with Austria in 1849, thereby hastening the downfall of freedom, not only in Italy, but all over the Continent — have had their day, and it was but one.

The election of a President of the House of Deputies, consequent on the death of M. Pinelli, has brought into light a scissure long since existing between Count Cavour and Massimo d'Azeglio. At the election of M. Pinelli's successor, the Cavour party, for reasons best known to that gentleman, came to an unnatural understanding with the so-called 'liberal' party, and a vote in favour of M. Ratazzi was the consequence of this combination.

This, as a matter of course, led to the resignation of the D'Azeglio Ministry; and the two new 'friends,' Cavour and Ratazzi, were charged with the formation of an administration — an impracticable task. Upon their avowed inability to undertake the Government, the King once more sent for D'Azeglio, and the Cabinet is now as it was, with the exception

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of Cavour, Galvagno, and Farini, for whom Cibrario, Pernati, and Buoncompagni have been respectively substituted.

There is no doubt but the present arrangement is merely temporary. The country can well dispense neither with D'Azeglio nor with Cavour.

M. d'Azeglio is a poet, an artist, a man of taste and pleasure; he is, further, disabled by wounds and infirmities. Great exertions, with the exception of occasional fits and starts, cannot be expected, nor justly demanded, of him, but he is nevertheless indispensable, as *magni nominis umbra*. Without him, so long as he lives, no government in Piedmont can inspire either respect or confidence. On the other hand, however, there is much to do, and the President of the Council must learn at least *laissez faire*. The State of Piedmont, from centuries of abuse, is a downright Augean stable, and the late Minister of Finance was the very Hercules for its purification. Freedom in Piedmont, and, what is more, public prosperity and reasonable progress, are strangled by courtly favouritism, and insolent aristocratic nepotism. Now, though Count Cavour is an aristocrat, a hater *profani vulgi* at heart, and though, in 1846, he made himself, merely on account of manners, obnoxious as a *Codino* (pig-tailed retrogradist), — yet he has sense enough to perceive that a constitutional State must be ruled by its true aristocracy: that is, that either the nobility must put forth new energies and abilities, or must acquiesce and see power pass into the hands of 'better men.' The army, court, and diplomacy were matter of strict monopoly. It was this evil that Cavour attempted to remedy by the adoption of the revolutionary principle: to new measures new men.

D'Azeglio, by a strange contrast, has been, and is, a contemner of all save personal distinction, proud to have earned his bread by his pen and his easel: but he has not strength of mind enough to tear himself loose from all connexions of family and caste: he exaggerates the danger to be apprehended by too open a war with that old noblesse, which, in our opinion, is as impotent for evil as for good. D'Azeglio, therefore, talks of reform, of promotion of true merit, but has in reality ventured to do but little in his own department, and not allowed much to be done in those of his colleagues.

All this we say from honest conviction, as well-wishers to Piedmont, and full of great veneration for its Prime Minister. Glad as we are that the country has not been placed under the control of men who would have picked a quarrel with their jealous neighbours ere they were four and twenty hours older, we are also anxious that it should not be laid under the rule of

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ministers whose conservatism might degenerate into immoveableness. The breach between D'Azeglio and his former colleague is looked upon as by no means irreparable: and we may hope that the State may soon again be under the influence of its hundred-handed financier.

In the mean time, all that has happened so lately only corroborates our conclusion: that Constitutionalism, by which we mean freedom upon just and moderate principles, is what best suits Piedmont under the present difficult circumstances. The party, which under the name of democracy and patriotism would subvert all internal order, and provoke and almost justify foreign aggression — ere great European vicissitudes afford Piedmont even the chance of one day's noble resistance — will never be allowed to work out its mischievous purposes, even if it profit by an instant of ill-humour in some discontented, ambitious persons amongst its opponents. In or out of office, Cavour is pledged to support the present Government, and the 'right' party is more than ever unbroken.

Let D'Azeglio and other good men and true make the best of their advantage. Let them be assured that brisk and wholesome reform need not lead to revolution, and that the upholding of national dignity and independence — with more consistency than has been shown with regard to that fatal law on the press — need cause no apprehension of serious foreign displeasure. We think little of a King that would not write 'Dieu et 'mon droit' on his escutcheon. Whether or not Piedmont has acted up to that device, in the late measures for the suppression of libels, we will leave the President of the Council of Ministers to decide.

ART. IV.—1. *Sir Stamford Raffles' Memoirs; Journals; History of Java.*

2. *Moor's Miscellanies of the Indian Archipelago.*

3. *Sir J. Brooke's Journals. Mundy. Keppell.*

4. *Papers relating to the Piracies committed in the Indian Archipelago, and to the Measures adopted by the Netherlands Government for their Repression in the years* 1816–44. Parliamentary Paper.

5. *Singapore Journals,* 1831–52.

IT would be easy to prepare a lengthened catalogue of books and pamphlets which have been published on the two points to which we would direct the reader's attention as briefly as is

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consistent with the nature of the subject. In the preceding Numbers of this Review we have, from time to time, had occasion to consider the works of writers who have dealt with many interesting features of the Indian Islands. Taking these as text-books, we have, upon more than one occasion, endeavoured to sketch forth the splendour and beauty of this lovely region with its cloudless skies, its placid seas, and its groves of perfume. However much inclination prompts us to a repetition of the grateful theme, we would, for the moment, confine attention to the two points indicated by the title affixed to the present paper. The islanders are given up to rude taskmasters — to native chiefs of their own blood — to the Malays, those Normans of the Indian Seas—to the crafty spoliations of wandering Chinese — or to the still more grinding tyranny of Europeans who have farmed this region with an exclusive view to their own mercantile advantage since the days when Alphonzo di Albuquerque first reached Acheen Head. Two exceptions there have been in three centuries and a half to this dismal catalogue of commercial buccaneers; and, happily, England can claim them both as children of her own soil.

The names of Sir Stamford Raffles and of Sir James Brooke are inseparably connected with the two topics of Dutch diplomacy, and native piracy, in the Indian Seas. Since the British flag first floated over the residence of Buitenzorg, it is idle for the diplomatists of the Hague to play at mysteries. Since the schooner 'Royalist' dropped her anchor abreast of Muda Hassim's dwelling at Sarawak, the extirpation of Indian piracy has remained a mere question of time. These two remarkable men are respectively the heroes of the two epochs which we design to illustrate. If any student or practical politician should desire to enter more fully into the subject, let him refer to the authors whose works are mentioned at the beginning of this paper. In these writings he will either find the information he requires, or be directed to sources from which he may derive still more exact knowledge. It is not our design to criticise these works chapter by chapter, but to illustrate the subjects with which they profess to deal. Dutch diplomacy and Native piracy have been the two great curses of the Indian Islands. Of each in its order.

Precisely two centuries and a half have elapsed since a Dutch fleet, under the command of Houtman, — Captain Major Houtman, as he loved to style himself, — reached the shores of Java. The leader of the expedition landed at Bantam, and soon bound himself in a treaty of alliance, offensive and defensive, with the native ruler of the place, against the Portuguese. Two or three

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years passed away, and the Dutch factory at Bantam was awakened from its dreams of tranquil monopoly. Queen Elizabeth had just granted the charter of incorporation to the English East Indian Company. The originators of the Company had despatched a fleet of four ships under the command of Captain Lancaster to the Eastern Islands. The little squadron had first touched at Acheen, the very port to which Captain Hastings was directed but eight years ago with the 'Harlequin' and 'Wanderer' to require satisfaction for the pillage of an Arab brig which had been attacked when under the protection of the British flag. Acheen Head is the portal of the Malacca Straits. From the days of Captain Lancaster to the days of Captain Hastings, so little had been effected by the British to secure their interests in this quarter of the globe! Captain Lancaster sailed away from Acheen to Bantam, where he found Houtman and his Dutchmen in quiet possession. But it was not a difficult matter to induce the ruler of Bantam to permit the establishment of a British factory side by side with that of the Dutch.

It is indeed to be presumed, from the traditions which have come down to us, that Houtman and his party were looked upon with an evil eye by the native powers. After a preliminary massacre at Bantam, they had touched at one of the ports of Madura. The prince of the country, desirous of paying his respects to the strangers from beyond the sea, went out to meet them at the head of a large procession of boats. Whether from error, cowardice, or intention, the Dutch commander mistook their errand, and fired into the boats. A frightful massacre ensued, which is still remembered in the island as the Glencoe of Madura. At the time of the arrival of the Europeans, Bantam was a place of great commercial importance. There were established in the town traders from Arabia and Persia, from Pegu, and from the coast of Malabar. There were Moors and Turks a few, and Chinamen in abundance. There could have been no great difficulty at first, either for Captain Lancaster or Houtman in procuring a *carte-de-sejour* from the authorities of the place, and every facility for carrying on their trade. The Javans had as yet to learn the real meaning of commercial intercourse between the Eastern and Western world. They appear to have thought that their visitors from the West could be played off, nation against nation, with perfect security to themselves. The Dutch were to expel the Portuguese; and the English the Dutch — as a nail drives out a nail. They were destined to be soon cruelly undeceived. A few years after the establishment of the Dutch factory at Bantam, the chief officer of the settlement, finding himself hampered by the

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presence of European rivals, determined upon removing the factory to Batavia. In the name of the States General of Holland, he entered into a treaty with the Prince of Jákatra, a Javan State which lies eastward of Bantam. Batavia, with its miasmata and salt marshes, had no existence then. This pestilential spot was fixed upon by the Dutch as their centre of operations, and, in a political and commercial sense, was admirably adapted for the purpose. The treaty between the high contracting parties may stand as the model for all subsequent contracts of the like nature entered into between the Dutch and the native tribes of the Eastern Archipelago. At the risk of breaking the continuity of the narrative for a few sentences, we would invite comparison between the clauses of this Jákatra treaty and those of the treaty between Holland and the Sultan of Jambi, which have been concocted subsequently to the great settlement of March 1824. M. Verstolk de Soelen communicated the terms of this treaty to Sir E. Disbrowe as the very mould in which all similar contracts between the Dutch and the rulers of the Archipelago were to be cast. Let us see how much we have gained by all our concessions, and all our diplomacy in the well nigh two centuries and a half.

The convention between the Dutch and the Prince of Jákatra contains the following stipulations. I. There is to be free trade between the contracting parties. II. An eligible place of residence is to be granted to the Dutch. III. The territory of Jákatra, in case of invasion, is to be defended by the joint efforts of both parties. IV. All goods are to pay duty, save such as are imported in Dutch or Chinese bottoms. V. The Prince of Jakatra to close his ports against other European nations. The Spanish and Portuguese are excluded by name. Before transcribing the terms of the Jambi treaty, we would call attention to the fourth article above cited, as it contains the first suggestion of a policy on which the Dutch have acted with steady singleness of purpose for the last 250 years. The Chinese are to be admitted to the same commercial privilege as the Dutch at Jákatra. The Chinese have followed the Dutch throughout their Eastern conquests as the vulture settles upon the prey which the hyæna has stricken down. They possess all the properties required in intermediate agents. They must, indeed, be ruled with an iron hand; but with care need never arouse the serious apprehensions of the authorities. As Asiatics, they are more fitted to fill the post of publicans and tax gatherers over the immediate cultivators of the soil — for there is no kind of fraud or deception which they do not understand. As Chinese, they will never make common cause with the mass of

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the native population, whom they hate and despise. They will screw out of the miserable peasant a heavier contribution to the Dutch treasury than the Malay could obtain from the Dyak, or the Mameluke from the Copt. They will, at the same time, wring from him still more considerable gains on their own behalf. The Dutch Government farms out a district to a Chinese contractor: that contractor will, in an incredibly short space of time, make a fortune, and return to China, having in the meanwhile scrupulously adhered to the terms of an agreement which, in the opinion of a Dutchman, was a satisfactory arrangement as between master and slave. Such was the state of things which Sir Stamford Raffles found existing in Java.

But to return to the model treaty of the Hague: we find that by its third article a district or country is placed for ever under the sovereignty of Holland; by the fourth article a pension is settled on the ruler in return for his act of self-immolation; by the fifth article the Dutch are to have the right of occupying all existing forts, and of erecting and occupying new fortifications at their pleasure. The sixth article places the entire control over the trade and navigation of the district in the hands of the Dutch; and, finally, by the eighth article the Netherlands tariff is substituted for the tariff actually in force whatever that may be. Such are the provisions of the model treaty which at this moment the Dutch are attempting to fasten on the native princes of the Archipelago, notwithstanding the authoritative language of the great treaty of March 1824, between his Britannic Majesty and the King of the Netherlands.

From the year 1621 until the present time Batavia has remained the capital town of the Dutch East Indies, with the exception of that brief interval when the counsels of the Earl of Minto and of Sir Stamford Raffles prevailed, and the island of Java, with its dependencies, became annexed to the British Empire. Sixty-two years elapsed from the foundation of Batavia, and the English were fairly driven out of the field by their rivals, and forced to quit Bantam—so successfully had the Dutchmen managed their affairs. It is not within the scope of these remarks to lay before the reader even what is known of the unscrupulous methods by which the islands were brought into such subjection. To execute the task suitably, it would be necessary rather to write a history than to offer comments upon histories already written. The work which Sir Stamford Raffles published under the title of a 'History of Java,' is no history at all, but a most admirable digest of the customs and manners of the Javans at the time the British flag was hoisted at Buitenzorg. In saying thus much, let it not be supposed

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that we would cast even a passing slur upon the work of an illustrious man. There is nothing amiss about it but the title. Sir Stamford Raffles has measured out the island in its length and breadth — he has described in three or four most admirable chapters its mineral and vegetable productions—the commercial and agricultural arrangements of the people—and their administration of justice. He has conducted us to their festivities, their tournaments, and their bull-fights, — their wild-beast pantomimes, and the fantastic exhibition of their scenic shadows. He has told us how the Javan bride and bridegroom on their wedding-day throw bundles of *siri* at each other to ascertain which of them will gain the ascendancy in the married state — he has shown us the child in its cradle of *bambu* — and the bodies of their dead committed to fire or water, or exposed against the forest trees to gradual decay. It should scarcely be matter of reproach that the chapters of his work which profess to contain the annals of the island constitute rather materials for history than history itself. The book was given hurriedly to the press to serve a temporary purpose, and would have required careful revision and elaboration ere the body of the work had been brought into harmony with the title-page. No one would have been so competent to do this as Sir Stamford himself. He was the correspondent of Marsden, and had closed Leyden's eyes. He had been resident Governor at Buitenzorg, and Bencoolen, and had himself personally explored the great islands of Java and Sumatra. From his position, he had obtained access to archives and sources of information which had been carefully sealed up from European eyes since the days of Captain Major Houtman. The Eastern Archipelago had been the passion of his life; and this passion he had gratified to his heart's content. In the minds of Englishmen, these islands of perfumes and cinnamon-groves, of unruffled seas and cloudless skies, were identified with the name of this illustrious man, until the achievements and adventures of Sir James Brooke had attracted general attention. It is the more lamentable that so valuable a life should have been so prematurely cut off, ere time was allowed him to place the results of his great experience upon record for the delight and information of posterity.

Something, indeed, has been preserved by the piety and solicitude of his widow. It is but just to pay a passing tribute of respect to this lady, who still survives. How great, but how transient, was the happiness granted to her at Fort Marlborough, and during the period she accompanied Sir Stamford in his excursions about Sumatra — to the Hill of Mists — to Menagkabau, the cradle of the Malayan race. She was happy;

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in the fame and honours of her husband — happier still in the strong affection of as warm and guileless a heart as ever beat in human breast — and in the growing beauties of her children. But all was torn from her in the twinkling of an eye. There are few passages in print of a more agonising character than the brief notes in which Sir Stamford records the successive deaths of his children and friends. His widow had to deplore a yet more irreparable loss.

From the year 1683 until the year 1811 we might draw a veil over the Eastern Archipelago as far as the relations between the Dutch and English are concerned. The Dutch had, to outward appearance, conquered in the strife; but their cruel and selfish policy met with its appropriate requital. If the ancient Nemesis of the Greek Mythology ever looms in shadowy terror upon the horizon of a Dutchman's apprehension, she assumes the form of a bailiff, with a sheaf of protested bills in her grasp. Such had been the punishment of the Netherlands Government and of the Dutch East Indian Company. Despite of all the forced sales and forced deliveries, of the depopulation of the islands, and of the destruction of the spice groves, the Eastern Archipelago remained a source of embarrassment to Amsterdam and the Hague. In 1730, there was already a total loss of 7,737,610; and in the year 1779, this loss amounted to 84,985,425 guilders. The arrears of the Company subsequently were set at 85,000,000 of florins, of which 67,707,583 had been advanced by the nation. Commissioners were appointed to sail in the year 1791 for Batavia, to see if any beneficial changes could be introduced into the existing arrangements. What benefit might have resulted from their labours we know not, for the general breaking out of hostilities consequent upon the French Revolution necessarily defeated calculations which had been based upon the continuance of a peaceful trade. But when we look at the general course of Dutch policy in the Eastern Islands, as well since as before the revolutionary war, it is difficult to suppose that any improvements suggested would have gone to the root of the evil, or materially abated the system of close monopoly. There was, indeed, a time when the power of Holland might have been irresistibly extended over her Eastern Archipelago. In the year 1672, Louis XIV., at the head of an army of 130,000 combatants — directed by Turenne, Condé, Luxembourg, Vauban, — had passed the Rhine, and conquered the provinces of Utrecht, Over-Issel, and Gueldres. Already the French forces were at the gates of Amsterdam. William of Orange was but twenty-two years of age; and the populace, in a frenzy, had murdered the brothers De Witt. At this critical

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moment the Hollanders counted the vessels in their ports, and found that fifty thousand families might be transported on board of them to Batavia. Preparations were made for departure; but other counsels prevailed. The sluices at Muiden were opened. The districts around Amsterdam and the towns of Delft and Leyden were committed to the protection of the Zuyder-Zee. The great Monarch, balked of his expected prey, was fain to steal back, under cover of a *Te Deum*, to Versailles; and left his generals to extricate the half-drowned army as best they might. The writer may be pardoned if he pause for a moment to dream on what the fate of Europe and of Asia might have been, had the last Stuart retained possession of the English throne — had Holland been washed out from the map of Europe — and had William of Orange led the emigration to the blue seas of Java and Borneo. A later annexation of Holland to France was indeed fated to take place, but not until the names of the protagonists of those days had long been blotted out of the book of life.

It was in the year 1809 that the Emperor Napoleon turned his glance to the Eastern Seas. He had already bestowed the nominal sovereignty of Holland upon his brother Louis; and when the bloody days of Austerlitz, Jena, Wagram, had left the continent of Europe prostrate at his feet, could not a fresh battery against England be erected in that distant quarter of the globe? Once his authority absolutely established throughout the Dutch possessions, and he might indulge a reasonable expectation of striking a home-blow at the power of Great Britain in Bengal. Lord Minto, then Governor-General, decided instantly to attack Java, before the French Emperor could have time to carry out his plan. It is but justice to Sir Stamford Raffles to mention that Lord Minto appears to have come to this decision mainly upon his advice, and in consequence of the information supplied in his reports. Be this, however, as it may, the expedition sailed, and reached the Javan coast by a passage which was adopted on Sir Stamford's advice, contrary to the opinion of the naval officers attached to the fleet. On the 11th of August, 1811, Sir Samuel Auchmuchty, in an official report to the Governor-General, announced the capture of Batavia, and the conquest of the kingdoms of Bantam and Jákatra. It is not here within our province to enter into the details of Sir Stamford Raffles' too short administration in Java, nor of Lord Castlereagh's improvident treaty of August, 1814, by which all the colonies, factories, and establishments in America, Asia, and Africa, which had belonged to Holland at the outbreak of the war, were restored to her, with the exception

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of Demerara, Essequibo, Berbice, and the Cape of Good Hope.

During the continuance of English rule a very moderate tariff had been established at Batavia. Scarcely was Java restored to Holland, when apprehensions — which turned out to be well founded — began to prevail among the British merchants. It was said the Dutch were about to return to their policy of jealousy and exclusion. In the year 1817, in reply to an inquiry addressed to him by Lord Clancarty, the Baron de Nagel, the Dutch Minister for Foreign Affairs, denied that any such tendency influenced the course of the Netherlands diplomacy. Despite of this assurance, two years afterwards official information was received, that a monopoly tariff had again been put in force at Batavia, without any special exception in favour of British commerce. The Dutch Government regarded this measure simply as one of Protection, and not of Exclusion. But this was not all. It was soon found that the Dutch were sedulously engaged in extracting treaties from the native princes, the effect of which would have been to restore the entire ascendancy of the Dutch — political and commercial — throughout the islands. There are but two high roads by which a ship sailing from Europe by the Cape would penetrate into the Eastern Seas. She must either make her way by the Straits of Sunda, or the Straits of Malacca. The keys of the first of these passes were already in the hands of the Dutch, and they were doing their utmost to consolidate their power in the still more important passage of Malacca. Thus they might have as completely exercised command over the eastern waters as the owners of Elsinore over the Baltic, or the sovereigns of the Dardanelles over the Black Sea. Even had a due regard to our dignity and our interests permitted us to acquiesce in such an exclusion from the Indian Archipelago, the necessities of our commerce with China imperatively demanded the freedom of the Straits. Nothing would have been left to us but a perilous and circuitous route by the Straits of Banda and Palawan, where the navigation — at all times difficult — is in certain seasons and conditions of the monsoon, well nigh impracticable for ships of any burden. The pretension was, however, too ridiculous to be seriously entertained. When the point was brought forcibly under the notice of the Netherlands authorities, they disclaimed in terms their intention of seizing upon these great vantage points. Two years afterwards Sir Stamford Raffles set the question at rest for ever by establishing the settlement at Singapore. Before this event, and during three years of recrimination and angry dispute, turn where we would in the Archipelago,

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we found the Dutch had preceded us. Had events been left to follow the bias which was then communicated to them, the result must have been an entire restoration of Dutch ascendancy, and the exclusion of the British merchant from all participation in the profits of commercial intercourse with the Eastern Islands. This brings us to the treaty between Great Britain and Holland in the year 1824.

Now, if any one will be at the pains of turning to a good map of this region, and of examining carefully the position of the islands, he will soon be in a condition to appreciate the intentions of the negotiators at this period. Of the two portals of the Archipelago, as far as European ships are concerned, one, the Straits of Sunda, is to be left in the hands of the Dutch; the other, the Malacca Straits, is to be abandoned to the English. The Dutch retain a secure access to the Eastern Seas, in the very midst of their own principal possessions. The English stipulate for the naval and military keys of the Malacca Pass. The exigencies of our trade with China could not be satisfied with a less concession. The two great islands of Java and Sumatra — in pursuance of the unfortunate arrangement of 1814 — are ceded to Holland, or rather the previous cession is now solemnly confirmed. We contract to form no fresh treaties with the native princes in Sumatra; but we do not, for we cannot, abandon the obligations of any treaties made with the native rulers during the period of British occupation. Territorial acquisition to Great Britain there is none, unless indeed we regard the idle *exequatur* of his Netherlands Majesty to the commission of the British Governor at Singapore in the light of a territorial concession. Beyond this, it is difficult to perceive what have been the acquisitions of Great Britain in consequence of the treaty of 1824. We leave the Spice Islands as we found them, in the hands of the Dutch. We bind ourselves not to violate their monopoly in that quarter. We make no special stipulations as to the great islands of Borneo or Celebes. Our rights of settlement are there what they were all along, or as the rights of settlement of any other European nation. The only condition of practical importance attached to future settlements is, that the commercial regulations to be adopted by either nation therein shall not be such as to exclude the subjects of the other from a reasonable participation in the trade. At the time of the signatures of the treaty, indeed, it was stated by the Dutch diplomatists, 'that they did not look 'for anything but the most perfect freedom of trade between 'the subjects of the two Crowns, and their dependencies in that 'part of the world.' They declared that 'in no treaty which

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'they had made since the Peace was there any article excluding 'the trade of British subjects from the ports of native powers.' Such was the basis upon which the treaty of 1824 was formed. Such were to be the returns made to Great Britain for admitting Holland to a participation in her Indian trade, and for rendering back these valuable possessions to the Dutch flag. We might have retained Sumatra and Java too — we gave them back. We asked for community of trade with the countries so given up. The request has been formally admitted, but practically denied.

Scarcely was the ink dry upon the signatures attached to the Treaty when we find Mr. Canning and M. Falk at issue as to its real purport and meaning. M. Falk contended that the pretensions of British subjects to trade with the Dutch East Indies were not warranted by its terms. An *ad valorem* duty of 25 per cent. was placed on English goods imported into Batavia, while Dutch goods of the like description were admitted free of any duty at all. Remonstrance was met with argument, protests, and inaction. Thus matters went on until the year 1831, and the separation of Belgium from Holland, consequent upon the French Revolution.

We will not weary the reader's patience by entering into the successive points of the commercial disputes that arose between the English merchants and Dutch government during the next eight or ten years. Suffice it to say, that in the year 1834 the previously existing duty of 35 per cent. on all cotton and woollen goods imported from countries eastward of the Cape was raised to 70 per cent. The Dutch answered remonstrances on the subject by stating that the measure was only a temporary one, and directed against Belgian manufactures. But throughout this whole history of shifts and evasions we meet with these temporary measures at every turn. There is always some unfortunate confusion between the orders sent out and the orders carried into effect. There is always some temporary measure. M. Falk will communicate with his colleagues, or M. Van Zuylen is young in office. In point of fact something unforeseen is constantly occurring, but the mistakes run all one way with unerring precision. In the case before us, what recognition can be found in the treaty of 1824, of such a principle as a discriminating duty, accordingly as goods might be imported from the eastward or westward of the Cape of Good Hope? The whole weight of the regulation, of course, fell upon shipments or transhipments from British India. So again another scheme was devised, which was equally found, upon inquiry, to be a 'temporary measure, by which all importation

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'into the ports of Netherlands India was interdicted unless the 'goods so imported should have been first imported into one of 'the ports of Batavia, Sourabaya, or Samarang.' In other words, the trade to the native ports was practically closed against the English, for the Dutch combined their acknowledged claim to a monopoly of the coasting trade in their own possessions with the restrictions above mentioned. The effect of the measure was entirely to root up the profitable trade that had been carried on between Singapore and the smaller ports of the Dutch possessions prior to this unwarrantable regulation.

Of still more consequence was the discovery made about the same time, that the Dutch were busily engaged in making treaties with the native princes, on the model of the treaty with the Sultan of Jambi, the clauses of which we have already compared with the provisions of the first treaty ever made by the Dutch in these waters. The effect of such a policy, if successfully carried out but for a few years, would, of course, have been the entire banishment of the English trader from the Indian Archipelago. It was the one point on which our negotiators had most earnestly insisted throughout the progress of the discussion, and on which they had expressed themselves in the clearest and most emphatic language. The Netherlands diplomatists were informed over and over again that unless on this head they acted up to the very spirit of the treaty, nothing could prevent a collision, sooner or later, between the two countries, whatever efforts might be made by the British Government to prevent matters coming to extremities. But all was in vain, except in so far that on the Dutch being closely pressed upon their successive violations of the treaty, one infringement was withdrawn, and another substituted in its place. Not content with these overt attempts to sap the foundations of British influence in the Archipelago, about the years 1836 and 1837, the Dutch agents began to play a still bolder game. They carried fire and sword into the territories of the native princes of Sumatra, to some of whom the British authorities, during the times of the English occupation, had become bound by treaty obligations. Among these was the Rajah of Siac. This prince stated that the Dutch had already advanced within twelve days' march of his capital, and he had nothing to expect but hopeless subjection, unless speedy assistance was sent him from Singapore, or the remonstrances of the British Government availed to stay the hand of his relentless foe. These acts of aggression against the spirit of the treaty were successively annulled or withdrawn, the Dutch diplomatists protesting the while that, if

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they receded, it was not from respect to the treaty, which was in no way affected by these proceedings. They consented to stultify their own acts, for sundry reasons of their own, which would have prompted them to recede, even although no remonstrances had been made on the part of the Court of St. James. Even the Sultan of Jambi was to be permitted to bring his Custom House regulations more into conformity with the treaty of 1824, as soon as the military force of the Dutch should be withdrawn from the eastern coast of Sumatra. Such was the promise — but it was not kept.

Having brought the narrative down to this point, if we were to adhere strictly to the sequence of events, it would be necessary to speak of the circumstances connected with the arrival of Sir James (then Mr. Brooke) on the coast of Borneo, and of the jealousy with which the Dutch watched his proceedings from the first. It appears more advisable to speak of Borneo, and of all that has been achieved on the sea-board of that great island, in a distinct and separate form — and for this reason. The opening up of Borneo constitutes an era in the history of the Indian Archipelago. We need no longer stand hesitating and confused between many counsels. It was well nigh impossible for the mind to apprehend any grand system of policy, as long as the attention was constantly distracted here by a custom-house dispute, and there by a paltry infraction of the great treaty within the limits of the Dutch possessions. Thanks to the efforts of Sir James Brooke — to the results he has already gained — to the interest which has been excited by his personal adventures — the question of the Indian Archipelago has assumed an intelligible form. Every educated Englishman now appears to understand something of the real nature of the points at issue. The publication of Sir James Brooke's Journals has thrown somewhat of the same interest about the islanders of the Indian Archipelago as the first issue of the Scotch novels did upon the mountaineers of the Scottish Highlands. The Flora M'Ivors, and Rob Roys, and Callum Begs attracted more attention to the scene of their fictitious adventures than all the heavy folios that had been compiled for two centuries. So it is with the Indian Archipelago since the schooner 'Royalist' appeared in the Sarawak rivers. The personal adventures of a single man have given a new charm to the whole of this beautiful region. No doubt before his time the seas of the Eastern Isles were as unruffled — the sky as blue — the spice groves as fragrant — but we heeded them not. The stern, working-day world, with its instinctive contempt for romance, and its anxiety to 'realise,' paid but little attention to the trea-

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sures which here lay scattered around. The genius and resolution of a single man have availed to open up one of the fairest regions of the earth to the dreams and aspirations of youth, and to the more careful calculations of maturer age.

During the few remaining years of which we have to speak the Dutch have steadily pursued the same two ends, — the exclusion of British influence, and the extension of their own power throughout the Archipelago. In article 12. of the treaty of 1824, there was a stipulation that no British settlement should be made on the Carimon Isles, or on the islands of Battam, Bintang, Lingin, or on any of the *other* islands south of the Straits of Singapore. The stipulation has given rise to a discussion probably without a parallel even in the annals of diplomatic chicane. The Dutch insist on imparting a significance to the article which would exclude the English for ever from all countries lying to the south of the parallel of latitude 1·22′ north. From beyond the Equator to the Antarctic Pole we must make up our minds to evacuate all islands, and, what is still worse, never attempt to make any fresh settlements therein, if the Dutch reading be the correct one. Let it be remarked, that there is no question of circumscribing the area of exclusion by the mention of parallels of longitude. The meridian of Singapore is taken as the point of departure. To the south of this imaginary line the British are excluded from possession or settlement. New Zealand, or even Australia, are in strictness as much islands as the Isle of Wight or Heligoland; what business have we there since Mr. Canning affixed his signature to that ill-omened treaty of 1824? Is it necessary to say that the pretension is in as open defiance of the intention of the parties as in the teeth of common sense? One should have thought, in any case, that Borneo, Papua, and Celebes were islands of sufficient importance to have merited special mention where Battam, Bintang, and Lingin are particularised, even had it been intended to confine the exclusion to the area of the Indian Archipelago. But how stand the facts? There is a parcel of well-nigh worthless islets, about 1000 in all, without any general name, which were formerly dependencies of the kingdom of Johore. At the time the English were negotiating with the sovereign or sovereigns of Johore (for there were two claimants to the throne) for possession of the island of Singapore, they found, as usual, that the Dutch had been beforehand with them. Sultan Hussain, the elder brother, was the English Sultan, Abdul Rachman was under the influence of the Netherlands agents. So completely was this the case, that Sultan Abdul Rachman, acting under the advice of his Dutch coun-

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sellors, had repudiated Major Farquhar's Treaty, made between the Sultanate of Johore and the English in the year 1818. By this treaty 'British subjects were to enjoy in the ports and 'dominions of Johore, Pahang, Lingin, Rhio, and others, sub-'ject to the Sultan, all the privileges and advantages then and 'at any time thereafter granted to the subjects of the most 'favoured nations.' By another article, the Sultan bound himself 'not to renew any obsolete and interrupted treaty with 'other nations, public bodies, or individuals, the provisions of 'which would tend to diminish the freedom granted to British 'trade.' This being so, it was not unnatural that when the English negotiators found that the right to the throne lay in the elder brother Hussain, and that the interests of the negotiation pointed to a recognition of his title, they should discard the pretender, Abdul Rachman and the intrigues of the Dutch founded on his title.

As soon as Sir Stamford Raffles had solved the main point of the problem, by establishing the settlement at Singapore, the Netherlands agents presumed that the first act of the British Government would be to support the claims of Sultan Hussain to the possession of these islands. The dependencies would probably follow the fate of the principal kingdom. It was to meet this difficulty that the Netherlands negotiators succeeded in inserting the famous stipulation of article 12. in the treaty of 1824. The King of Holland agreed not to urge the claims of his puppet, Abdul Rachman, to the island of Singapore. We, on the other hand, stipulated not to support any attempts that our Sultan Hussain might be advised to make on the dependencies of the Sultanate of Johore,—'the Cariman 'Islands, or the islands of Battam, Bintang, Lintin, or any of 'the other islands south of the Straits of Singapore.' Such is the history and explanation of this famous paragraph. It would be unfair to MM. Fagel and Falk, the negotiators whose signatures we find appended to the treaty of 1824, to suppose that the proviso had been captiously inserted with the view of letting in pretensions so monstrous as those which have since been founded on the wording of the clause. The honours of pettifogging on so gigantic a scale must be awarded to their successors at Batavia and the Hague.

The Dutch have two grand methods, in addition to their sweeping claim of universal dominion, for evading the provisions of the treaty. The first of these is annexation. It is very true that they cannot enter into *treaties* with native tribes which would be prejudicial to British commerce, but they may *annex* native states to the Dutch dominion in the East. They

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can bring them under the operation of article 2., the provisions of which may be evaded in turn. In 1846 intelligence reached our Foreign Office of the intention of the Netherlands authorities to annex the island of Bali to Java. Four years afterwards the Singapore Journals announced that the adjacent island of Lambok was to be the next sacrifice to the policy of annexation. The introduction of the Dutch tariff, of course, follows the annexation to the Dutch dominions. Thus the spirit of the treaty of 1824 is evaded in the most flagrant manner. Contrary to the recorded professions of the Netherlands negotiators, the trade of British subjects is excluded from the ports of native powers. Such is the first of the two methods. The second is to the full as ingenious as the first.

The most philosophic writers on the law of nations have been puzzled to lay down any very correct definition of the extent of right conveyed by discovery and settlement. In all discussions which may arise on such a point, a large margin must be left to common sense, and to that feeling of mutual respect for each other, which is the necessity of powerful nations. Let the Portuguese flag be hoisted at Teneriffe and Madeira, and all other nations which ask consideration in turn will feel induced to leave them in undisturbed possession of the island. But the most zealous champion of French interests would scarcely contend that the possession of Cayenne implied sovereignty over the two Americas. There must be something to justify constructive ownership, some positive act, some act, at any rate, which marks intention, combined with power, to reduce the territory in question into possession. The Dutch, however, have introduced the abuse of this principle of constructive occupancy as one of the cardinal points of their policy of extension in the Eastern Archipelago. If they plant a flagstaff into the soil at one point of a coast which may measure many thousand miles in circumference, the whole of that coast becomes their own. If they obtain the grant of a rood of soil from a native ruler, the whole of his territory, no matter if it embrace several degrees of latitude, follows the destiny of the constructive sample, and becomes essentially Dutch. There is no need that the Dutch Government should substantially take possession of the district, in never so slight and symbolical a fashion. It simply arrogates to itself, on the strength of this fiction, the right of excluding all other nations from any participation in the riches of the soil, or from any intercourse with the inhabitants.

A discussion of this sort is among the first topics which must have occupied the attention of the Earl of Malmesbury since he has received the Seals of the Foreign Office. The Dutch lay

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claim to five-sixths of the coast-line of Borneo, partly under the mendacious pretext of universal sovereignty which we have just exposed, partly because they consider all the external and internal districts of the enormous country in the light of appurtenances inseparable from a few trumpery settlements which they actually do possess at various points of the coast. These settlements, such as they are, are most sparsely scattered about; for it is strange enough that the attention of the Dutch, which was so keenly attracted to the Spice Islands, should not, until quite a recent period, have become fixed on this valuable country. About the conclusion of the seventeenth century they attacked Sucadana, in order to replace a native ruler on the throne. In the year 1747 they made a settlement at Banjar, on the south coast, which was abandoned in 1808, or thereabouts, by Marshal Daendels, in the name of the Dutch Government, to the Regent for the sum of 30,000 dollars. The territory of Sucadana was in the year 1778 ceded by the Sultan of Bantam to the Dutch. Sir Stamford Raffles tells us that 'they established factories at 'Pontianak and Mampawa, which they abandoned as unproduc-'tive after a trial of fourteen years.' In 1823 they again possessed themselves of this district, which they still retain. The settlement at Sambas is an affair which dates from the same year as the re-possession of Pontianak. The place had gained an evil notoriety as the haunt of pirates and cut-throats of the worst description. Shortly after Sir Stamford Raffles had been appointed by Lord Minto to the chief authority at Batavia, he had despatched an expedition against Sambas, which succeeded for a time in moderating the evil. No farther steps of importance were taken until the year 1823, when the Dutch purchased from the Sultan for a considerable sum the monopoly of trade in the district which still remains in their hands. The Dutch, then, cannot with any pretence of justice lay claim to sovereignty over any portion of the Bornean coast, except between Point Api and Cape Salatan. One single exception might, perhaps, be admitted, on account of a treaty made by them with the native tribes on the Koti River subsequently to the ill-judged attempt of the late Mr. Erskine Murray to penetrate into that district, and the massacre of himself and his followers, which was its natural consequence. The people of Koti apprehended that the slaughter of their countrymen might draw down upon their heads the vengeance of the English. To protect themselves they invoked the aid of the Dutch, which was willingly afforded. Such have been the Dutch settlements on the coast of Borneo. It remains to be seen how far these acts of sovereignty on the sea-board carry with them dominion over the

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interior of a vast country nine hundred miles in length by seven hundred in breadth, the greater portion of which has been hitherto unexplored.

Such, then, are the two methods devised by Dutch ingenuity for extending their empire throughout the islands of the Eastern Seas, in defiance of the provisions of 1824. Before bringing this portion of our remarks to a conclusion, it would be as well to advert briefly to one other point which has attracted considerable attention in Europe, and which has been construed as evidence of a growing spirit of liberality on the part of the Netherlands Government. It has been said that the assimilation of flags consequent upon our own repeal of the Navigation Laws was to be imitated by the Dutch Government. There was to be reciprocity of indulgence or of justice, between the two nations. Now it is perfectly true that the Dutch have, in terms, accorded to us the same freedom in the carrying trade that the English Government has granted to the subjects of the Netherlands Crown. The subjects of the one country are put upon the same footing as the subjects of the other. But how stand the facts? We are in terms admitted to the same freedom as the great mass of the Dutch public, but one distinction has been lost sight of altogether. The Dutch themselves—that is, the great body of Dutch merchants and merchant seamen,—are entirely excluded from the carrying trade between the mother country and her Indian colonies. This carrying trade is retained as a close monopoly in the hands of the Dutch Chamber of Commerce, that gigantic body of monopolists at the head of which stood the name of the late Netherlands King; so that all that we have gained in the way of reciprocity is a parity of exclusion. As we stood before so we stand now, the only difference being that we have been relegated to one category of privation instead of another. A good deal of misapprehension upon this point has existed among public writers. It is the more necessary that it should be set right because our Dutch friends are not slow to treat a shadow as a fulcrum upon which they may rely to obtain material advantages in return for nominal concessions.

We will not long detain the reader upon the real nature of the Dutch administration. In strictness, as far as we are concerned, the fact of whether or no the Dutch administration in the East has been conducted in a spirit of cruelty or mercy, of liberality or oppression, may matter not much. We take our stand upon treaty-rights, and we are entitled to demand their literal fulfilment. But, in a moral sense, it may add vigour to our determination of obtaining those privileges from which we

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have been wrongfully ousted, if we see that the system which we are called upon to respect, even to our own detriment, is a system of inhumanity and impolicy. One might feel some compunction, under any legal title, at violating the sanctity of a paradise; but no man, with such a title in his favour, would shrink from breaking into the prisons of the Inquisition. Now we do not mean to assert that the Dutch system in the Indian isles is as atrocious as it has been in by-gone days. We have no tale to tell at the present day of provinces depopulated, and of corpses lying strewed upon the ground, which had been reduced to that condition by pestilence, famine, and violence, — the results of Dutch administration. Sir Stamford Raffles informs us in his time of a district, the population of which had been reduced from 80,000 to 8000 in an incredibly short space of time, partly by the agencies above described, partly by the flight of the inhabitants, who had fled to the jungle and the mountain to escape from the tyranny of their cruel taskmasters. Such instances could scarcely occur at the present day. We are bound to add, that even in former days, when divulged at Amsterdam and the Hague, they elicited expressions of horror and disgust. Would that they had inspired a settled determination to modify a policy under which such acts of atrocity might be perpetrated with impunity.

But it must not be supposed that the natives of the Indian Isles submit without a struggle to the dominion of their Dutch gaolers, modified as it has been since a ray of light has been suffered to penetrate into the recesses of the prison-house. Not many years ago the Dutch had to contend against two insurrections, the one in Celebes, the other in Java, which well nigh shook their power to its foundation. What is called the 'War of Boni' occurred in 1823–24. One-fourth of the whole period of Dutch occupation in Celebes had been spent in actual warfare with the natives — a high-spirited and intelligent race. Undeterred by the warnings of history, the Dutch endeavoured to fasten the following regulations upon the Bugghis tribes. All the Bugghis nations were to acknowledge themselves vassals of Holland. No appeals to arms, no sentences of death were to be carried into effect without the sanction of the European authorities. The Dutch were to arbitrate in all quarrels among the Bugghis tribes, and their award was to be final. The great feudatories of Boui were to communicate with the European government directly, and no longer through their liege lord. The Dutch fiscal and commercial regulations were to be in force along the whole of the Bugghis coast. No Bugghis crew was to quit a port of Celebes without being furnished with a Dutch

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register and passport. Such was the statement made by the natives of the concessions required of them by the Dutch Government. The consequence was a sanguinary war.

But the insurrection which broke out in Java in 1825 was still more formidable. It extended itself over an area of above 700 square miles, and embraced the most fertile provinces of the island. When the physical conformation of Java is remembered, it may readily be supposed that the occupation of the central provinces by organised military bodies must have seriously imperilled the dominion of the Dutch. Two native armies, of at least 10,000 men each, were in the field. The insurrection extended for 100 miles through the central province of the island, so that all communications were interrupted. The immediate cause of the outbreak was comparatively trifling. The Dutch resident at the Court of Mataram had ordered that certain roads should be made in the neighbourhood of the palace. To effect this it was necessary to pull down a tomb within the premises of one of the Javan princes. The attempt was resisted, and one of the Dutch agents was shot. This event, however, was the signal, not the cause, of the insurrection. For this we must go back to the traditional system pursued by the Dutch in the island. There was the land-tax imposed by the English in substitution of other duties, but which had been continued by the Dutch *together* with the other duties. There were salt duties, and market duties, or octrois. There were road duties, and a poll tax, and slaughtering duties, and taxes upon the amusement of the people. Above all, there was the corvée or enforced labour, which pressed most heavily upon the Javan peasant. Looking to the nominal origin of the dispute, it is not improbable that an endeavour to drive the people upon the public works was the more immediate cause of the outbreak. In confirmation of a statement which was made in a previous portion of these remarks, we may add that the Chinese middlemen or farmers of the province were massacred without mercy wherever they could be found. It was long before the Dutch could succeed in quelling the insurrection; for, when the insurgents were compelled to retreat, they could throw themselves into the fields of marsh-rice and retire through the villages, every one of which was a defensible military position. At one time the insurgent leaders had under their orders a body of 40,000 fighting men collected in one *corps d'armée*. The rainy season had set in. So the Javan levies were but tolerably well officered, what was to be effected against so overpowering a force, backed not only by the sympathies, but by the active assistance, of 5,000,000 of people struggling for their independ-

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ence, and for liberation from a grinding and oppressive tyranny, in a country admirably adapted for guerilla warfare? It is a land of woods, of marshes, of mountains, and of defiles. When their fortunes were at the lowest ebb, the Dutch had recourse to an artifice, imitated from the Byzantine Court, when the Byzantine Court was at its lowest point of degradation. They extracted an old Sultan, who had been deposed by the English, from an older guard-ship, in which he had been confined for fourteen years, and invested him with the purple. The presence of the imbecile old man in the enemy's camp somewhat distracted the counsels of the insurgents. It was not, however, until the Dutch general had by a stratagem obtained possession of the person of the insurgent leader, that the insurrection could be considered fairly at an end. The returning feeling of security brought with it but little change in the counsels of the Dutch. The 'system' has been restored with but few modifications, nor can we anticipate brighter days for the Javan peasant until the Dutch Government has been induced or compelled to adhere more strictly to the provisions and spirit of the great Treaty of 1824.

At this point we must pause. Our contracting space warns us that we must turn to another portion of the subject but little inferior in importance, although the question at issue does not present the same practical difficulties of solution.

Two principal causes were assigned as explanatory of the present unsatisfactory condition of the Indian Archipelago. The one was the heartless and impolitic monopoly of the Dutch; the second the prevalence of piracy. In order to appreciate the consequences of this evil to their full extent, we should consider the present political and commercial circumstances of the islands, as well as the physical conformation of the whole region. We meet here with society at a very low point of development in certain respects. What from the presence of Europeans — what from their own organisation, the islanders have been kept in a state of political nonage. They have not been able to constitute themselves into large societies for the purposes of attack and defence. The two great islands of Java and Celebes, which should have given tone and cohesion to the insular community, have been kept prostrate beneath the feet of their Dutch taskmasters. Of the three leading races of the Archipelago the Malays remain; but in place of fostering they have retarded its progress. They have been bad rulers, and treacherous guides. When brought into contact with tribes less civilised than themselves, they have either reduced them into hopeless subjection, or studied to rear them into a deplorable

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imitation of the worst points of their own character. They have been lawless despots, or pirate chiefs.

But, with all this, your Malay is essentially a gentleman. He is as punctilious on the point of honour as a Spanish Hidalgo. He might be taught to respect others, for he respects himself. It is unfair and unphilosophical to judge of his actions by the standard of European intelligence and morality. The Malay is even as the Arab;—his prahu is his horse, the blue seas of his native islands the desert in which he takes his pastime. We must not forget that had the ancestors of our noblest and most ancient British families fallen into the hands of the present Lord Chief Justice and a Middlesex jury, they would most righteously have been handed over to Calcraft's ministrations. Nay, why should we confine the analogy to nations? Was there not a season in the lives of us all, or at least of as many as were not pre-doomed by nature to haberdashery and statistics, when piracy, as set forth in the fervid lines of Byron, or the graphic descriptions of Cooper, was not without its attraction? If daring adventure be so absolutely at variance with the first principles of human nature, why does the quiet country rector read 'Rob Roy' aloud, after tea, to his three grown-up daughters? Let the argument, however, be confined to its legitimate extent. We must not judge the old Norse Kings and the present Ramsgate fishermen by the same canons of morality. If the Malay be addicted to piracy we presume the taint may be eradicated from his blood, because he belongs to a state of society such as that described by Thucydides, when he tells us of the origin of the Grecian States. The buccaneers of Hellas lived in an antiquity so remote that Pericles might have been pardoned had he been ignorant of its appropriate legends. Their descendants were heroes. It is no doubt necessary to put down the system of Indian piracy with an uncompromising hand; but we need not despair of the Malay race, nor of the Balanini of the Sooloo groups, nor of the Illanuns of Mindanao, nor of the Sea Dyaks of the north-western coast of Borneo. The peculiar state of society in which they live—the facilities offered by their summer seas and continuous winds—the indifference of European nations—the absence of more legitimate occupations—and the wild delight not unnaturally felt by savage races in the excitement of these buccaneering expeditions—are quite sufficient to account for the existing state of things. Happily we may venture to speak of these atrocities as in some measure historical. The continued exertions of Sir James Brooke—the exemplary chastisement inflicted on the idiot Sultan of Bruni, and the piratical hordes of

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Malladu Bay — the subsequent destruction of the pirate fleet by Captain Farquhar, have tended for a time to reduce the evil within something like tolerable limits.

We have considered Sir Stamford Raffles as the central figure in the first era of our modern knowledge of the Indian Islands. The events of the second period naturally group themselves around Sir James Brooke, and his settlement on the Sarawak River. Where the one leaves the tradition, the other takes it up. If we would form a just appreciation of what either of these eminent men has accomplished, we should compare the amount of our knowledge, and the character of our Indian policy, before and after either of them has entered upon the scene. With a little knowledge of the islands, with a little industry and good will, it is now no very difficult task to produce a sketch of the nature and progress of the Dutch dominion in the Archipelago. The facilities for this purpose we owe to Sir Stamford Raffles. So at the present moment it is in our power to offer a faithful description of the numbers, the seats, the weapons, the mode of warfare, and the prahus of the piratical hordes. It is from Sir James Brooke that the information is derived. Sir Thomas Cochrane, Captains Keppel, Mundy, Farquhar, have all been actively employed in carrying into execution the operations against these lawless races. The impulse, however, came from the quiet residence of the adventurous Englishman who has devoted the best energies of his life to the protection of the peaceful tribes of Borneo, and necessarily to the reduction of these lawless rovers. There is an energy in depth and sincerity of purpose which enlists the sympathies and commands the co-operation of others. Very few men are in earnest in this world, and those few infallibly succeed in carrying their purpose into effect. Sir James Brooke is one of these. Before we bring our remarks to a conclusion, we would say a few words of his position in Borneo, and of the line of policy which has been opened up to this country, in consequence of the ascendancy he has gained over many of the native tribes. For the present we must confine our attention to the second great curse of the Indian Archipelago.

It seems so surprising to any person acquainted with the condition of the Eastern seas that any one should be found bold enough to question the existence of piracy, or the formidable character of the armaments which put to sea under the direction of the pirate chiefs, that a certain embarrassment attends upon the production of evidence. Suppose a Frenchman to deny that there are any ships at Spithead; or, if that point should be settled against him, that the ships are ships of war, and the

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instance would be an analogous one to the present case. To be sure there is one way of settling the question, which is by a visit to the spot. But such a process would require time, and would scarcely afford retrospective proof. The next resource is independent testimony. If Sir Thomas Cochrane, Sir James Brooke, Sir Christopher Rawlinson, Captains Keppel, Mundy, Farquhar, &c., are not entitled to belief as *participes criminis*, we will turn to an unfriendly authority. In the year 1846, M. Cornets de Groot, the secretary to the Dutch Colonial Office, prepared a paper for the information of his superiors on the piracy of these Indian seas during the last thirty years. We only regret that the consideration of space will not permit us even to condense one tithe of the statements made by the Netherlands functionary in this document. It is, however, easily within the reach of any person who may be curious to inquire further into the subject, for it was recently printed in the form of a Parliamentary Paper, and presented to both Houses of Parliament. It should be inquired for under the title, 'Paper relating to the Piracies committed in the Indian 'Archipelago, and to the Measures adopted by the Netherlands 'Government in the Years 1816–45 for their Repression.' We take a few statements almost at random.

The piratical tribes inhabit the southern and eastern shore of Sumatra, the Linga Isles, *upon the coasts of Borneo*, of Celebes, and of some of the Moluccas and Philippines. They have haunts, too, in the Straits of Sunda, between the Bay of Batavia and Banda Straits, and in the islets which abound on the coast of Java. The crews of the boats consist generally of from forty to sixty men. They carry small cannons, pikes, and sabres. Their practice with regard to their prisoners would appear to resemble that of the Spanish banditti. If pursuit be too hot, or they fear they may not be able to ransom or sell the wretched creatures as slaves, they cut their throats and throw them overboard. The Illanuns from Magindanao — this is one of the tribes with which Sir James Brooke has been most actively engaged — set sail in large fleets from their haunts about the month of April, and make either for the eastern or western coast of Borneo. Their practice is to divide into small parties, so as to cover a larger area, unless some important operation is intended, when they call in stragglers and act in a mass. 'The largest kinds of prahus,' writes M. de Groot, 'are 'defended by double nettings, and have from fifty to eighty 'men on board. They have two rows of oars each of thirty, 'and are armed at the head with two powerful guns, of from 'six to eight, besides six or eight *lilla* or swivels.' During the

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English administration at Java they were repeatedly attacked. We have had occasion to mention before the expedition which was despatched by Sir Stamford Raffles to the Bornean coast. Mr. Muntinghe described in a pamphlet, which he wrote in 1818, the horrible atrocities of the pirates, amongst other places, on the west coast of Borneo. In 1820 their audacity had attained such a point, that they absolutely possessed themselves of some ten districts in the south-east part of the island of Banka, and erected mud forts to secure possession of their conquest.

About the time of which we are speaking, and upon the coast of Borneo, an English brig, the 'Seaflower,' manned with sixty hands, and carrying sixteen guns, was attacked by the Illanun pirates, who were only beaten off after a terrible struggle, and with the loss of four men killed and many wounded. The captain of the 'Seaflower' received twelve wounds, and lost his right arm. About this time the usual complement of the 'Experimental Squadron' annually fitted out at Sooloo and Magindanao amounted to one hundred vessels; fifty at Tuwara; twenty at Tumbassak; twenty at Mangkabo; five or six were actually sent out from Sumroka to Borneo properly so called, *near Tanjong Datu.* This is the very ground upon which the recent operations have taken place. M. Muntinghe is quoted by M. de Groot as his authority for the above statement. We must overcome the temptation to transcribe from the report the account of the action fought by the 'Fathal 'Barie' against the pirates in 1824. It will be found at p. 16. of M. de Groot's Report.

We pass on to the year 1831. About this period we find it recorded that English commerce in the Straits of Malacca was seriously affected by the piratical flotillas. In 1831 the Governor-General of British India proposed that the Dutch and English should seriously unite their efforts for the extirpation of piracy.

The Dutch Governor-General remarks in his reply, that, were it not for this horrible plague spot of piracy, many of the Dutch settlements might rise to a high degree of prosperity. This, however, is taking but a narrow view of the subject. Our anxiety should not only be for the settlements of European nations. Our thoughts and measures should be directed to the elevation of the islanders themselves to a condition of social comfort and commercial intercourse. The English or Dutch ship of war, even the armed merchant vessels of the two nations, which navigate the Indian seas, may succeed in beating off an attack of these lawless buccaneers. But how can the islanders in their light prahus hope to resist them with effect? They are expelled

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from the surface of the Indian Sea. They are hurled back from their settlements on the sea-boards of the island, or from their villages on the banks of rivers, which can be reached by any of these marauding squadrons. They are denied all contact with civilisation. The rich products of the soil, which only they can foster and extract, remain untouched. Civilisation is delayed. The fisherman at his nets, the peasant in his orchard, the careful housewife in her little chamber, the sucking infant at its mother's breast, all are involved in one sweeping massacre. And this is a state of things which we may not arrest!

We shrink from the attempt of reciting the numerous operations against the pirates recorded in M. de Groot's Report. It is a full-sized Parliamentary Paper of sixty pages, and every page contains an account of some dozen instances of piracy. Before we leave it to the reader's notice, there is, however, one passage which deserves particular remark. M. de Groot speaks of an attack which was made by a flotilla of Dyak prahus, which had dared to lie in wait for the Dutch war-schooner 'Haai.' He tells us the coasts of Paulianak were infested by Dyak pirates in 1839. At Mampawa they engaged the Dutch. He then goes on to say, 'Sheriff Mohamat, the commandant of the 'district, having learned that nine of their prahus were at the 'mouth of the river, each manned by from thirty to forty 'bandits, resolved to attack them with only three prahus. They 'fought so closely that scarcely any weapon than the sabre was 'used. The commandant had thirty-seven men killed, the loss 'of the enemy amounted to eighty. It appeared that these 'Dyaks came from Seribas, a locality situated in the interior of 'the countries to the north of Sambas, which is only accessible 'to the small light vessels of the Dyaks, of slender form, and of 'which all the parts are united by the means of canes. In 'their voyages they burn and massacre along the shores all that 'is within their reach. As trophies they carry off the skulls of 'the victims of their ferocity. They have no fire-arms, but 'generally use the sabre, and javelins, or spears of wood hard-'ened by fire.' This was in 1839. The flotilla of the same people, which was destroyed by Captain Farquhar on the night of the 31st July 1849, consisted of 150 prahus. The average of the crews was forty or fifty men, while some prahus carried seventy. There were two or three muskets in each prahu. The fleet had four small brass guns. The true point of view with regard to the piratical flotillas of these Dyaks is, that if they do not own many fire-arms themselves, the Malays possess them in abundance. The Malays join with the Dyaks in their piratical adventures, and may indeed be said to be the chief

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causes of the mischief. At any rate a flotilla carrying 5000 or 6000 determined savages, each man armed with cutlass and spear, 200 or 300 bearing muskets besides, and four brass guns, is not an apparition a merchantman would gladly evoke. We shall have occasion to return to this point. For the moment we merely call attention to M. de Groot's testimony as to the character of these tribes.

It would, however, be unpardonable, at this point, if we were to rely expressly upon the testimony of M. de Groot and Temminck (from whose work he has largely extracted), in confirmation of our statement with regard to the character of piracy in the Indian Archipelago. As we have now established the fact upon the testimony of strangers, we will have recourse to home authorities. First let us take Sir Stamford Raffles. This distinguished man writes, in 1811, 'A few days ago, Pangeran 'Anam came out from Sambas with two small ships; one of 'them mounts ten guns, and the other eight guns, with some 'armed prahus. Two Chinese junks just arrived from China, 'and then lying on the bar of the Paulianak River, were 'attacked by their boats. One of these junks having a valuable 'cargo, was boarded and carried off instantly by them, the other 'was relieved by the Sultan's armed prahus, who went to their 'assistance.' We will next produce the views of Mr. Crawfurd, the successor of Sir Stamford Raffles at Singapore. We found them contained in a letter which was written at the beginning of the year 1825, by a Dutch agent, who had been despatched on a special mission to Singapore, M. Christian van Angelbeck, to Baron Van der Capellen, the Governor-General of Netherland India. This gentleman, after relating how he had put himself in communication with Mr. Crawfurd, goes on to say, that he had suggested to that gentleman the propriety of establishing something like uniformity between the operations of the English and the Netherland force in the Indian seas. Whereupon

'Le Résident (M. Crawfurd) me répondit que cette affaire l'occupait sérieusement déjà depuis long temps, et qu'il avait même eu l'intention de présenter au Gouverneur-Général des Indes Anglaises, un projet sur les moyens à mettre en usage pour l'expulsion des pirates. J'espère maintenant, ajouta-t-il, être bientôt en état de réaliser ce projet. Il entra tout-à-fait dans mes vues sur la manière dont il faudrait s'y prendre pour réussir; et faisant l'observation qu'on devait faire usage des bateaux à vapeur, au nombre de cinq au six, il se promettait les meilleurs resultats de leur emploi, mais il regardait la complète expulsion des pirates, au moyen des croiseurs ordinaires, comme fort difficile, pour ne pas dire impossible. . . . Il désirerait aussi bien voir les deux Gouvernemens réunir leurs efforts contre la piraterie. Le nouveau contrat passé le 4 Août,

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1824, avec les Princes de Djohor (concernant la cession de Singapore), contient un article qui défend la piraterie à leurs sujets; il me semble que c'est là une preuve de la sincérité des déclarations que M. Crawfurd me faisait naguères.'

It is important to establish a universal agreement amongst all authorities upon this point. The conviction of the real nature of this atrocious system should be well fixed into the minds of all Englishmen; for its cessation mainly depends upon the condition of public opinion in this country. At any rate, so far, we have an entire concurrence between the Dutch reporter, his original authority M. Temminck, the Dutch authorities from whose despatches he quotes, Sir Stamford Raffles, and Mr. Crawfurd.

Our next reference must be to the Singapore Free Press and Java Courant of 1847. We here find it stated, that in that year a fleet of Balanini pirates, in number from forty to sixty prahus, came out from their haunts, and spread slaughter and terror through the Archipelago. They swept the Banda Straits, assaulted and carried a village near Singapore, and absolutely attacked a Dutch fortress on the coast of Borneo. The East India Company's steamer 'Nemesis,' encountered a division of this flotilla, consisting of eleven prahus. The largest of the prahus captured was eighty feet in length, and carried a complement of eighty men. The second class was seventy feet long by twelve broad. The average crews of the prahus was forty men, and each carried from four to six guns. The largest prahu mounted an iron nine or ten-pounder, besides six or eight small guns, and the crew was abundantly supplied with rifles and muskets.

It has been said again, that, however true it may be, that an extensive and organised system of piracy may exist in the Indian Archipelago, yet that the British Government has not a right to interfere, by force of arms, until it shall have been proved that the attack has been directed against some vessel bearing the British flag. Even upon this ground, untenable as it is, the persons who are acquainted with the effects of this atrocious system are fully prepared to meet their antagonists. The yacht 'Royalist' was threatened by these lawless ruffians. The British schooner 'Swift' only contrived with extreme difficulty to escape from their hands. A parcel of Indian Lascars, belonging to the ship 'Sultana,' were seized and enslaved by the Sultan of Bruni, and by the piratical chief Sheriff Osman, of Malladu Bay. Finally, we will quote as two instances, the attack upon the boats of the 'Viscount Melbourne,' which was wrecked on the Luconia shoal, and the still more daring attempt upon the boats of H. M. S. 'Dido,' Captain the Hon. Henry Keppel,

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off the island of Sirhassan. The 'Viscount Melbourne' had struck upon the shoal above named in January 1842. Five boats escaped from the wreck. One boat with twenty-five Lascars on board disappeared as they approached the mainland of Borneo. The first cutter, with Colonel Campbell of the 37th Madras Native Infantry, went in search of water, but although the three remaining boats showed lights all night, she returned no more. The next day, the three boats which were left, were attacked by a native prahu, which fired into them and wounded one man. The pirates succeeded in capturing the jolly boat, and finding nothing in her *set her on fire with the Lascars in her* and so departed. This, one should imagine, is a case which calls for the interference of the British Government. The attack upon the boats of the 'Dido' were even still more audacious. A full account of it will be found in the second volume of Captain Keppel's work.

But, in truth, the argument is untenable for a single moment. The attempt to ignore the horrors of piracy in the Indian isles is as though a man should deny that battles had been fought between the French and English in the Spanish Peninsula, at the beginning of this century, or that the Kaffirs had been recently engaged with the British troops in the scrub-wood of Southern Africa. Not only is the credit of the English Government involved in putting an end to so atrocious a system on all grounds of humanity and commercial interest, but we have absolutely engaged ourselves to co-operate for its destruction by the solemn stipulations of a treaty. With what force could we seek to bind the Dutch to a strict adhesion to the terms of the treaty of 1824, if we ourselves disregarded its provisions in one of its most essential particulars? Throughout the whole of M. de Groot's memorial to the Dutch Government is found constant complaint of the English Government in this respect. The Dutch agents represent that even in the neighbourhood of Singapore no measures were taken to repress the misdeeds of the pirates. They add that even when the British authorities had been roused to a tardy co-operation, the nature of the assistance rendered was rather calculated to delay than to promote the object in view. They cite as an instance, in proof of their assertion, the attack made by the 'Andromache' in the year 1836, upon one of the islands subject to the Sultan of Linga. Complaints of this kind come of course from a very suspicious quarter. That the English Government has been slow to act up to the spirit of the treaty of 1824, as far as regards the suppression of piracy, we are not unfortunately in a condition to deny. It is equally clear, that, upon the part of

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the Netherlands Government, the greatest jealousy has been displayed at the slightest token of British interference. How, indeed, was it to be expected, if British ships of war had been employed to sweep the waters of the Indian Seas of this lawless swarm, that they should have quitted the scene of action without taking further steps to promote the interests of their country upon the scene of their conquest? Let us add, that if the Dutch are in fairness entitled to the praise which they claim, it is not a little surprising to find, upon the showing of their own reporter, a record of constant engagements between their own ships and the pirates, even as late as the year 1843. We know as a fact, that the exertions of a single man have availed to clear the coast of Borneo from Tanjong Api to Malladu Bay of these lawless hordes. How then is it, if the operations of the Dutch navy have been directed with such singleness of purpose to the same end for well-nigh forty years, they have not as yet succeeded in producing a more satisfactory result?

The instances of piracy already quoted may be safely left to the judgment of the reader as examples of a wide-spread and dreadful system which pervades the Indian islands like a pestilence. From Acheen Head to New Guinea, aye, and even to the eastward of New Guinea, the system extends in all its dreadful vitality. In the course of our narrative, mention was made of the liberation of certain Anglo-Indian subjects from imprisonment at Jambi, on the eastern coast of Sumatra, by the Dutch. That may fix the limits of the 'system' upon the western boundary. We have the authority of M. de Groot for stating, that the inhabitants of Papos, Onie, and of Amalas (New Guinea), to the east of Ceram-Laut, annually equip 100 or 120 prahus for piratical purposes, and make expeditions to a very considerable distance from their own abodes. Nay, it is stated in the Report, upon the authority of Mr. H. D. Kolff, who in the years 1825-26 made an excursion among the southern Moluccas, and along the south-west coast of New Guinea, that these blood-thirsty savages actually devour the prisoners whom they may have captured in the course of their frays. New Guinea, however, for practical purposes, may be taken as the eastward limitary line of the system. On the south its operation is bounded by Java and the continuous islands, which complete the chain to the west coast of New Guinea. On the north, no absolute boundary line can be fixed. The pirates swarm about the Philippine Islands. The northern coast of Borneo was one of their favourite haunts until they were cut up root and branch in 1846. On the shores of Cochin China, and of China Proper, although belonging to a different race and

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name, they are equally to be found. The whole of this most beautiful region of the globe has been given up to their devastations. The result has been one continuous scene of rapine, savagery, and murder.

Many schemes might be proposed for the extirpation of piracy. European nations, however, should consider twice before they carry to the last extremity the means which modern science has placed at their disposal, even against those whose actions would appear to place them out of the limits of human sympathy. Vigorous blows must be struck; a salutary terror must be inspired throughout the Archipelago; and then conciliation and policy may avail. We are no advocates for sweeping and indiscriminate slaughter even against the pirates of the Indian seas. In how many instances has it not been proved that the crews which manned the pirate prabu had been driven most reluctantly to the occupation by their Malay rulers. 'If we do go 'a pirating,' said a prisoner of this class to the Judge, if we remember right, at Singapore, 'you cause us to be hanged; if we 'refuse to go, we are killed by the Malays and by our own 'tribe. We are prisoners at your mercy. If the choice were 'set before us again, we had rather take the uncertain chance 'of falling into your hands, than the certain death which would 'be the consequence of our refusal. Do with us as seems best in 'your own eyes.' Speaking without a precise recollection of the facts in this particular instance, we should have hesitated much before awarding the penalty of death in disregard of such a plea. The instance, however, is merely quoted to show the impolicy, not to say the cruelty and injustice, of any undistinguishing measure of repression. The object should be rather to restrain and subdue, than to destroy and extirpate the piratical tribes.

But let us next confine our view to a single district of the Archipelago. Circumstances have occurred within the course of the last ten years which have brought us into close contact with the piratical tribes of the kingdom of Borneo. Of these alone we would now speak. The influence gained by Sir James Brooke over the minds of the native population, his protracted residence in the country, the steady determination of repressing these terrible atrocities of which he has given abundant proof; the ample means placed at his disposal by the naval officers on the station, and the effect with which these means have been employed,—above all, the confidence he has won from all persons who have had an opportunity of looking into the reality of the case upon the very spot where the system of piracy prevails,—point him out as the most suitable person to furnish us with the facts upon which a judicious decision may be based. When we

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find the measures proposed and carried out by this gentleman, supported and adopted by such men as Sir William Parker, Sir Thomas Cochrane, Sir Edward Belcher, Captain Keppel, Captain Mundy, Captain Farquhar—not to speak of Colonel Butterworth, and Sir Christopher Rawlinson, the Recorder of Singapore, whose especial duty it was to examine judicially into the facts of the case,—such a mass of authority is collected together as probably never yet was brought to bear upon a disputed point where the scene of action was so remote.

The fortunes of Sir James Brooke in the eastern Archipelago have been without a parallel in our history since the days when the discovery of the two Americas and the Antilles offered a fair field of action to the first adventurer who had spirit and energy enough to attempt their conquest. A good deal of spurious popularity has been attached to his name. But a few years ago, (whether such a result must be attributed to the indiscretion of his partisans, or to the natural propensity of Englishmen to halloo on the 'lion' of the season,) it is clear that Sir James Brooke got credit for being the thing he was not, and did not get credit for being what he is. Reaction naturally follows upon exaggeration. The live lion of one season is the dead dog of the next. If such a revulsion of sentiment has not occurred in the case of this remarkable man, it is because the results he has absolutely achieved have been of so important a character, as to command the respect of our greatest Ministers and principal merchants. Meantime the solid qualifications of the statesman and the soldier may, however, be accepted as more than a set-off for the absence of other qualities which are more likely to recommend their possessor to the favourable notice of boarding schools for young ladies, and the drawing rooms of Belgravia. It is impossible to rise from the perusal of Sir James Brooke's journals, and of the official despatches which mark the progress of his operations, without feeling an intimate conviction that he looks to the prosperity of the islands and the happiness of the native tribes as the most pleasing result of his labours. The time has not yet arrived when it concerns the public to be made acquainted with minute details of his early career; but the few facts which follow may, however, not be without interest to those who have heard only of the Rajah of Sarawak as connected with the Indian Archipelago.

James Brooke was born on the 29th of April, 1803, at Hooghly in Bengal. He is the second son of the late Thomas Brooke, Esq., who for a long time was employed as a civilian in the East India Company's service. In consequence of the death of his elder brother, he subsequently became heir to the

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considerable property which his father left behind him at his decease. The young man was, however, destined to see human life in many forms, before the possession of an ample income insured him independence of action, and permitted him to follow out the bent of his genius. When quite a youth, he obtained a cadetship in the Bengal army, and took part in the Burmese war. In an action with the Burmese forces in Assam, he distinguished himself so much as to receive the thanks of the Government. The praise, however, did not come without a certain degree of alloy. He had been shot through the lungs, and the suffering from his wound was so severe, that he was compelled to return to England and try what benefit could be derived from his native air. After a short residence at home, he travelled over the principal part of the Continent to recruit his health and inform his mind, until his leave of absence should have expired. We now come to the strangest point in his eventful career.

The ship on board of which he had embarked to rejoin his regiment, was wrecked on the Isle of Wight. The consequence was a delay in his arrival in Calcutta. His leave of absence was broken. The facts of the case would no doubt have held him blameless in the eyes of his military superiors. The young man was, however, too impatient to await their decision, and resigned his commission without giving any opportunity for inquiry. This step which, on the ordinary canons of prudence and foresight, would appear to have been rash and ill-advised, proved the foundation of his future fame. The ship in which he had arrived at Madras was about to proceed to China. He determined upon taking a passage on board of her, that he might visit countries which had not been without influence upon his imagination, even when his knowledge of them was confined to books and public rumour.

Thus it was for the first time he saw those beautiful islands of the Indian sea, in which so many years of his after life were to be spent. The probability is that he could scarcely render account to himself as to how or when the resolution of choosing this lovely region for his future scene of action first took firm hold of his mind. As yet, no doubt, his taste was gratified by the enchantment of the scenery, his imagination raised by the prospect of adventure; but there was no fixed and settled purpose of devoting his life to the Indian islands and their inhabitants. Many a young traveller along the shores of the Mediterranean, or among the Grecian islets, has declared, that nothing would ever induce him to pass his life at a distance from the splendours of such scenes. He has, notwithstanding, turned out

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a very respectable proficient in the hum-drums of English life. So might it have been with Sir James Brooke had there not been something in his character essentially different from the character of the ordinary run of men. Circumstances, too, combined to afford him independence of action at the moment it was absolutely essential to the success of his career. That independence came neither too early, nor too late. He was restrained from rushing into action until his intellect and temper were mature. He was not kept too long hesitating on the brink of an unfulfilled purpose. Resolution might have grown dull; the fine edges of a romantic purpose might have become blunted by sliding too long upon the grooves of ordinary life. This we note, to use Lord Bacon's phrase, as one of the 'chief 'felicities' of his eventful career.

Be this, however, as it may, the impression left upon his mind by his first visit to the Indian waters was so enduring, that we find him shortly after his return to England fitting up a brig upon his own account, and sailing away once more for the Chinese seas. Probably the love of adventure was the principal motive which at this time impelled him to action. The time, indeed, had not yet arrived when he could carry his purpose, vague and undetermined as it might be, into effect. His father, who was yet living, would not countenance the mad-cap scheme. The adventure, like many another one, broke down for want of funds. The future Rajah of Sarawak was compelled in India to dispose of his brig, and return to England with no higher result than a considerable addition to his nautical knowledge, and an increased familiarity with the countries which he was finally to visit with so much effect. After his return to England, his time appears to have been spent much in the same way as that of other young men who can look forward to the future without anxiety. He was known as a fearless horseman and swimmer, an expert shot, and persevering yachtsman. His immediate friends appear to have prophesied, that if his life was spared, he would one day make for himself a name. There was nothing, however, to distinguish him much in the eye of a casual observer from a hundred young men who are at this moment loitering about the Yacht Club-House at Cowes, and who will infallibly end as county magistrates, and members of White's or Boodle's, if their lives attain the ordinary term of existence.

Mr. Brooke's father was now dead. In the year 1838, just eight years after his original departure from Madras for the Indian seas, and when he had completed his thirty-fifth year, he determined upon carrying out that expedition which was to give

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a colour to his whole future life. The death of his father had put him in possession of an easy fortune, so that he could make his preparations for the voyage in the amplest manner. Even at the moment of departure, and when he was about to realise the dreams which had constituted so large a portion of his intellectual life, his instinctive caution did not forsake him. He took care that his crew of twenty hands should not consist of any but men whom he had long trained to his purpose, and on whose fidelity and activity he could rely. The 'Royalist' was a schooner of 142 tons burden: she carried six six-pounders, a number of swivels, and small arms in abundance to resist any piratical attack that might be made upon the ship. In October, 1838, he sailed away from the shores of England, and on the 15th of August, 1839, the 'Royalist' for the first time let go her anchor in the Sarawak river, opposite the residence of the Rajah Muda Hassim.

It does not appear from the best consideration we have been able to give to his published journals, that at the time of his departure from England, or even upon his first arrival in the Indian seas, Sir James Brooke at all anticipated the realities which were before him. On the contrary, his main object would appear to have been a voyage of some two or three years' duration among the Indian isles. The idea of visiting strange tribes and races of men, seems to have been predominant in his mind. His journals afford tokens that a survey of certain portions of the Archipelago was among his favourite schemes. There was the prospect too of increasing the extent of our knowledge of the birds and animals which inhabit the islands, and of ascertaining the nature and value of their mineral and vegetable productions. He did not quit the shores of England as a self-appointed protector of the aborigines. He is neither Quixote nor Oberlin, but a man of strong head and kindly nature, who cannot endure the sight of tyranny and oppression without endeavouring to amend the anomaly. The piracies of the Indian seas, the horrible cruelties inflicted by the Malays upon the Dyaks, and by the Sea-Dyaks upon their gentler brothers, aroused his indignation from the first moment they were obtruded upon his notice. But he did not quit his home with the intention of taking part in the struggle, with a bale of moral pocket handkerchiefs in one locker of his yacht, and a case of tubular rockets in another. The circumstances in which he was placed were such as to require the energy and ability of a statesman and a soldier. He was equal to the emergency: one step led to another, until at length the gallant English gentleman, who had quitted his home and his friends for a

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romantic excursion among the beautiful islands of the Indian seas, found himself a sovereign prince in the well-nigh unknown island of Borneo. Nor was this all. So highly had his conduct been approved of by the most cautious statesman of his native country, that on his return he was recommended by him to his Sovereign as a worthy object of Royal favour. Three times his conduct had been impugned by a knot of active enemies before the British Houses of Parliament, and three times have the Houses recorded their sense of his high character and deserts in a manner that will stand for ever in the annals of his country.

It is not our intention to enter into the particulars of this controversy. It was lately characterised by Baron Alderson on its merits at a public dinner given to Sir James. Still less can we afford space for a continuous recital of the extraordinary events by which he has won his way to his present position. Let it be sufficient if we briefly jot down the date of the principal facts which must already be familiar to most Englishmen. On his first visit to Sarawak, Sir James Brooke found the Rajah Muda Hassim, who was governing the country in the name of his nephew, the Malay Sultan of Bruni, at war with some rebellious tribes amongst his subjects. The Rajah wished him to stay, as his presence might be supposed to act by way of intimidation to his revolted subjects. The young Englishman, however, sailed away, and it was not until his second visit to Sarawak in August, 1840, that he permitted himself to be mixed up with the dispute. Muda Hassim offered him the government of the province, which he finally accepted on the 24th of September, 1841; and his appointment was subsequently confirmed by the Sultan. His motives for accepting the gift may perhaps best be gathered from his own diary about this time. 'With the Dyaks,' he writes, 'day after day, month after month, it is the same 'story,—a life of watchfulness, of flight and fight. In the course 'of every year many lose their lives, and more their liberty. 'Oh! that my power to save these benighted people were equal 'to my inclination to do so. My anxiety and my desire to 'ameliorate their condition are boundless; and though the love 'of home may beckon me thitherward, yet I must never dream 'of returning to my native land until at least some measure of 'good has been accomplished.' A little inquiry into the condition of his new subjects soon convinced him that there was no chance of any permanent amelioration until the horrible practice of piracy, which prevailed along the coast, should have been thoroughly repressed. To this end he implored, and not without effect, the assistance of the British naval officers on the station,

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which was willingly afforded when those gentlemen had once convinced themselves that the case was one which called for the interference of the British arms.

First, Captain Keppel was despatched to the assistance of the English Rajah by Sir William Parker in 1843. In 1845, Sir Thomas Cochrane proceeded, at his instigation, with a fleet of seven ships to demand explanation of the Sultan of Bruni; and the result was a very humble promise of submission from the Sultan, himself a pirate at heart. No sooner was the admiral's back turned than the Sultan caused Muda Hassim, and as many others as were supposed to be favourable to the English interests, to be murdered. This event was followed by the attack and capture of Bruni, in July, 1846; and the subsequent destruction of the haunts of the pirates on the northern coast of Borneo. In all these actions Sir James Brooke largely participated, indeed they may be said to have entirely originated with him. The pirates of the northern coast were not, however, the only hordes with which Sir James Brooke had to contend. He had other antagonists of the like character nearer him, whose aggressions it became his duty a second time to repress.

At no great distance to the westward of the mouths of the Sarawak rivers, lie the rivers of Sarebas and Sakarran. These were the rivers visited by Captain Keppel in the boats of the Dido, in 1843, at the request of the Sultan of Bruni. The Dyaks of these two rivers are among the most formidable of the piratical hordes of the northern and western coasts of Borneo, and a description of them may serve as a description of all other Sea-Dyaks who are addicted to piracy. At the time of Captain Keppel's operations they were under the influence of two Arab Seriffs, or self-styled descendants of the Prophet. They could upon occasion put out to sea in a flotilla carrying 3000 or 4000 men. Sir James Brooke mentions, in his diary, that upon one occasion, when he was as yet young on the Bornean coast, he saw a fleet of ninety-eight boats put out from these rivers, which, at an average of twenty-five men to each, would give a total of 2450 men. When a piratical excursion was intended, the Arab Seriff caused a gong to be beaten round the town, and summoned by name as many Malays as were to proceed upon the expedition. As many as refused were heavily fined. With the Dyaks, of course, less ceremony was used; but indeed no great ceremony was wanting, the passion for piracy, and the love of head-hunting, had attained so great a height among this people. The blow struck by Captain Keppel was unfortunately supposed to be but a casual one. Three years afterwards their depredations had been renewed to a fearful extent,

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and kept the whole coast in a state of alarm. From 1846 to 1849 matters went on from bad to worse. Over a wide district of country, on each side of their haunts, rapine and murder reigned supreme.

The piratical operations of these Dyaks must not be confounded with the internecine hostilities of savage tribes. There is such a thing as war between one community and another. There is such a thing as war between one community and all communities. This last is the case of the Sea-Dyaks, and more especially of the Dyaks of the Sarebas and the Sakarran rivers. Their hand was against every man; but unfortunately, until the arrival of the English, no man's hand was against them. They were too united, too well armed, too powerful. Even after all that had been done, the piratical fleet which put to sea from the two rivers in July, 1849, consisted of 100 prahus, each prahu averaging thirty-five men. The whole coast was under a reign of terror, — all native trade was at an end, — the fishermen were flying into the interior. In the course of two months they had murdered 300 persons in order to obtain heads, and to swell their previous store of these horrid trophies. We might have hoped that the lesson inflicted by Captain Farquhar would be a lasting one. The interest of our commerce absolutely requires that these atrocities should be brought to a conclusion, even if the voice of humanity were silent in our breasts.

For it must not be forgotten that the infant trade of the Archipelago is yet in a condition which depends on careful fostering. Large communities suppose large towns; large towns attract large ships and large trade. Now, in the Indian Archipelago, as yet, trade is clipped of its fair proportions by the absence of large towns, which never can spring up on the coasts as long as the piratical tribes are allowed to carry on their depredations. The little native prahu, which would convey the produce of a private owner to some central entrepôt, where it could be disposed of at advantage, is intercepted, the cargo pillaged, the crew murdered or carried away into slavery. Thus the hope of an extended commerce is nipped in the very bud. Our merchants and traders must not hope to find any very extensive vent in the Archipelago for their wares and manufactures until this system has been superseded. Once let commerce be protected over these first difficulties, and the native traders will know to protect themselves.

There is this additional reason for putting a check upon the practice of piracy, that its professors take to it as a trade in the absence of more legitimate occupation. When the Indian islanders, who have been hardened to these practices by the

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traditions of five centuries, and the impulses of uncivilised man, perceive that there is another and a more prudent method of increasing their wealth, these lawless desires, as in the case of the African slave trade, will fade away from their minds. Piracy begets want, and want begets piracy. These wretched hordes are engaged in a vicious circle from first to last.

The course to be pursued is an obvious one. Wherever piracy has obtained a head, an attack should be made upon the central seat of the piratical tribe. It is of little avail seizing upon a solitary prahu here, and hanging a few offenders there. No blow should be struck but an effectual one, and when once delivered, the pirates may be left for a time without further molestation. An occasional visit from a steamer, an occasional demonstration of our ships of war, as they happen to be near the station, is all that would be required to keep the tribes addicted to piracy in awe. They must feel convinced that the power is at hand whenever it may be judged necessary to put forth our strength. Meanwhile, no effort should be neglected to train up an anti-piratical party among the infected tribes. There have been divisions of opinion and inclination even among the Sea-Dyaks of the Sarabas and Sakarran rivers. It is the same thing in all the seven rivers which lie along the coast between Tanjang Api and Malluder Bay. We take this district merely as an example. The same remarks are equally applicable to the eastern as to the western side of Borneo, and to all other parts of the Archipelago, as to the coasts of this great island. The only difference which could be quoted would be with regard to such communities as the Illauans, and Balaynini, and others, which are in the habit of equipping heavy armaments for sea. They are more in the position of the Algerines before Lord Exmouth's time, and probably will, for years to come, turn a deaf ear to all persuasion and remonstrance, unless it be accompanied with more than one severe lesson. They must be taught by terrible experience to appreciate the nature of the evils they inflict upon others. Then, and not till then, will they desist from a pursuit which is hallowed in their eyes as the chivalry of crime.

Such, then, we take the two influences to be which have for so long a time obstructed the full development of the Indian islands. Other measures must doubtless be taken, but they seem to follow so naturally upon the progress of commerce, that it would be almost superfluous to point them out. The settlement at Labuan, of which such favourable accounts have been lately received, is, probably, not the only post which we shall ultimately find it necessary to occupy. The discovery of coal of good quality and in large quantity upon this island and the

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adjacent mainland of Borneo, is one of those events which constitute an epoch in this quarter of the globe. The coal is there, and in abundant quantity, as has been testified by all persons who have visited the spot. The unaccountable inaction of the Eastern Archipelago Company in turning this prize to good account is the more surprising, as it must be obvious that it must prove a large source of profit to themselves, as well as of advantage to the public. A good coaling station is the one point needed to insure the navigation of the Indian seas upon an extensive scale. More than this, the necessities of communication are becoming every day more stringent. The shores of North America towards the Pacific Ocean are more and more crowded with rough and energetic masses of men, determined in some way or other to force their way to fortune. A fair sheet of water separates them from the shores of the Celestial Empire. Are they likely to remain still in those fortuitous seats of industry as soon as they perceive hopes of larger profit elsewhere? The northern and eastern coasts of Australia, too, demand the power of rapid communication with our Indian empire and with the mother country. It is but a few weeks since the intelligence reached us of the expedition against Japan under Commodore Perry. Doubtless a few months more will bring us news that the brazen wall which has hitherto separated those unsocial islanders from the communities of civilised men has been effectually broken down. Our English merchants at Singapore are casting many anxious glances at Siam and Cochin China. Ere long the navigation by way of the Isthmus of Panama will have been placed on a practicable footing. All things would appear to denote a universal stir of mankind towards this quarter of the globe. Are we who stand upon the vantage ground to lag in the rear? The Indian islands lie in the very centre of the coming hubbub and enterprise, a bait and a reward to the most resolute adventurers.

Evidently our first care should be, not to permit ourselves to be diverted from any legitimate intercourse with the native tribes by the absurd pretensions put forth by the Dutch diplomatists. By our treaty engagements we are bound, and to our treaty engagements let us adhere, that is, to their very truth and meaning, but not to any fanciful construction which it may please the ministers at the Hague or at Batavia to put upon their various provisions. We may be sure that the Dutch are busy, if we are still. The very existence of Holland as a country of its present European importance depends, according to the traditions of the Hague, upon the maintenance of her Indian empire. It is not unnatural that Dutch statesmen

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should cling to it with terrible tenacity at the moment they see other nations swarming round the golden prize. Let us take care that the odious practice of piracy is thoroughly extirpated from the Indian seas. As a natural object, it seems proper, in the first instance, to clear the ground in the neighbourhood of our settlement at Labuan, and in the immediate course of our Chinese trade. Much already has been effected through the agency of Sir James Brooke, and our naval officers on the station. A little care would now keep the Bornean coast in order from Point Datu to the Straits of Balambangan. It needs but the occasional visit of a steamer to control the seven chief piratical rivers since Captain Farquhar inflicted so exemplary a chastisement upon the blood-thirsty hordes of the Sarabas and Sakarran.

All measures that would tend to promote the peace and prosperity of the inland tribes, and to check their internal contests and divisions, would, of course, be most desirable. Of the great island of Celebes, and the still greater island of Borneo, of Gilolo, and many others that might be named, our knowledge does not extend very far. Of their wealth and fertility we have received favourable assurances, but there we must stop short. But for the presence of the Dutch, and their preposterous pretensions, it would be easy enough to satisfy ourselves as to the internal condition of Celebes. Borneo, however, presents a practical problem of greater difficulty. We may trust, that the almost superstitious reverence in which Sir James Brooke is held by the native tribes may in the course of the next few years facilitate the labours of any exploring party. No effort, at any rate, should be spared to ascertain the real condition and capacities of the country.

We would not conclude without giving utterance to an expression of anxiety and apprehension for the future fate of the Indian islanders. What between their European task-masters, their piratical hordes, and their Malay chiefs, their's has not been a bright page in the history of the world. What will become of them if roughly and prematurely brought into contact with the strong impulses of Europeans, and the still more violent action of the pioneers of the United States? They must be scattered in the collision, unless something like humanity and benevolence preside over the inroads of the stronger race. Any attempt to reduce the islanders into a slavery similar to that of the Southern States of America would be as short-sighted as inhuman. We do not want large colonies of Europeans in the Indian isles. Commerce, and not colonisation or empire, should be our object. Nor, if the native tribes

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once saw their way to security for life and property within and without, by land and by water, would the result be doubtful. The greatest blessing that could be conferred on them would be, the presence of some protecting hand, which should maintain order, and give their industry fair play. It is, however, idle to calculate upon a continuous crop of disinterested and remarkable men starting up on a sudden to execute the task which a nation has neglected. The fear is, that their work may die with them. The ordinary impulses of human nature will resume their sway immediately the master-mind has disappeared which restrained them into harmony. The best hope for the Indian islanders lies in the greater wisdom of our present commercial system, and, we would fain hope, in the milder temper of nations which lay claim to civilisation. At least we may derive some consolation from the increasing rapidity of intercourse. A wrong done at the equator will soon vibrate from pole to pole. The fragrant spice groves, the blue seas, and deep forests of the Indian isles, may yet appear as among the chief monuments of the Creator's glory, when they shall once have been purged from the stains of oppression and crime.

ART. V. — *The Life and Letters of Barthold George Niebuhr. With Essays on his Character and Influence* by the Chevalier BUNSEN, &c. &c. 2 vols. 8vo. London: 1852.

As a Roman Historian the name of Niebuhr has long been familiar to English readers. The admirable translation of his great work given to the world by Hare and Thirlwall, and the unbounded admiration expressed by Dr. Arnold for his guide and predecessor in the labyrinth of early Roman annals, have in some degree enabled our countrymen to do justice to that singular combination of vivid imagination and critical acumen which so peculiarly fitted Niebuhr for his task. While his extensive and minute acquaintance with philology placed at his disposal resources possessed in equal measure by few who had trod the same path; while his profound study of political science prepared him to discern the real meaning and nature of the civic institutions of ancient times, which to others presented only a heap of incomprehensible confusions; while his critical faculty enabled him to put aside all that was purely legendary and excrescent, and to detect whole volumes of prolific and explanatory truths in careless fragments which had escaped the notice of his predecessors, as Cuvier discovered in a few mutilated bones the key to whole systems of classification, — he was

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at the same time endowed with an historical imagination of singular creative energy and judgment. It transported him unreservedly to the position and point of view of antiquity, so that he penetrated into and reconstructed the past, and restored in distinct outlines and colouring the dim and faded forms of ancient polity. Hence, though several of his decisions have been set aside on fuller consideration and a wider induction, and though some of his followers, by adopting his method, have improved upon his work, yet to him still remains the credit, not only of having been the first thoroughly to comprehend the spirit and character of the early constitution of Rome, but of having introduced, if not invented, an entirely new mode of dealing with the materials of the history of former ages.

But it is not sufficiently known that Niebuhr was nearly as eminent a statesman as he was an historian. He entered public life very early, and only quitted it seven years before his death. With the exception of about three years between 1810 and 1813, when he held a Professorship at Berlin, he was actively and incessantly engaged either as an administrator or an ambassador. In 1796 he went to Copenhagen, and in 1823 he left Rome for Bonn. His historical studies were prosecuted, often at great disadvantage,—generally amid the toils of office and the distractions of the most exciting and disturbing period which Central Europe had witnessed for centuries. He was the associate of the German statesmen quite as much as of the German literati of the period; and political interests occupied a far larger share of his time and attention, and seem to have clung still nearer to his heart, than his antiquarian or speculative researches. It is in this character—as a statesman and a family man—that these volumes chiefly depict him. Some years ago, his sister-in-law, Madame Hensler, with the assistance of some of his friends, published three volumes of his correspondence, accompanied by biographical notices of his career. A selection from these is now presented to the English public. Those letters have been omitted which could have interest only for Germans; while on the other hand many allusions and brief notices which, in their original form, would have been intelligible only to Germans, have been amplified and explained by the English translator, who has at the same time, with most meritorious diligence, studied the history and memoirs of the period (particularly the Memoirs of Stein, for many years Niebuhr's chief and fellow-labourer) with the view of bringing to bear upon the narrative every elucidation within reach. The authoress (for it is the work of a lady) has, so far as we can venture to pronounce, executed her task with great judg-

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ment and care; her style is unusually elegant, fluent, and correct; she spared no pains in consulting all the surviving friends of Niebuhr to whom she could obtain access; and she has been enabled to enrich her work with estimates of the character and influence of Niebuhr as a man, a diplomatist, and an historian, from the pens of three of his countrymen, — one of whom, Chevalier Bunsen, has himself achieved a European reputation.

Niebuhr's father, the celebrated Arabian traveller, was a German, but Niebuhr himself was born in Copenhagen. The consequence was that he belonged both to Denmark and to Germany, was able to serve both countries, and learned the languages of both simultaneously in infancy. He received the rudiments of his education at Meldorf, in Holstein, whither his father had retired, and afterwards studied at the University of Kiel. In both places he was distinguished for unusual zeal and diligence, and a genuine and intense interest in his studies; and his power of acquiring languages was almost unexampled. At one time he was master of twenty different tongues.

'The Greek and Roman classics were at all times the most attractive to him; but while at college he only permitted himself to read them as a sort of reward for industry. When reading the ancients, he completely lived in their world and with them. He once told a friend, who had called on him and found him in great emotion, that he often could not bear to read more than a few pages at a time in the old tragic poets; he realised so vividly all that was said, and done, and suffered, by the persons represented. He could see Antigone leading her blind father — the aged Œdipus entering the grove, — he could catch the music of their speech, and felt certain that he could distinguish the true accent of the Greeks, though he could not reproduce it with his barbarian tongue.

'His liveliness of imagination, and quickness and depth of feeling, rendered his mental condition extremely variable; his sense of enjoyment was so keen, that anything which gave him pleasure would at times affect him even to tears; while, on the other hand, trivial circumstances would occasion him an unwarrantable degree of annoyance, or even excite him to momentary asperity. His sensitive physical temperament aggravated this tendency, and when he was suffering in body or had overstudied himself, he became dull and incapable of mental exertion, and in such cases he would often fancy that his faculties were giving way; but an interesting conversation with a friend, or a literary work of importance, 'was sufficient to recover him from this state, and restore him to his mental powers.' (Vol. i. p. 31.)

The following extract from a letter to his father (written in 1794, when he was only eighteen) will show the high standard he entertained of the qualifications necessary for the task and

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the literary position which he already began to contemplate and aspire to:—

'My head swims when I survey what I have yet to learn,—philosophy, mathematics, physics, chemistry, natural history. Then, too, I must perfect myself in history, German and French, and study Roman law, and the political constitutions of Europe as far as I can, and increase my knowledge of antiquities; and all this must be done within five years at most, so far as a foundation can be laid in that time, for truly it will not allow me to accomplish more than that with regard to most of these things; and it would be hard indeed if I could not find time and opportunity afterwards to complete the superstructure. I *must* know all these things, but how I shall learn them, heaven knows! That I shall require them, as a learned man, or in any position I may occupy, I am fully convinced.' (Vol. i. p. 41.)

When only twenty years of age, Niebuhr received an invitation to Copenhagen, where he resided from 1796–1798, at first in the capacity of private secretary to Count Schimmelman, the Danish Minister of Finance—a statesman of remarkable integrity and nobleness, and subsequently as Royal Librarian. In 1798 he visited England, and resided a considerable time in Edinburgh, where he entered himself as a student of the University. He does not appear to have sought or greatly appreciated English society, though his introductions and his father's celebrity gave him access to the best circles. He does full justice in his correspondence to the strong sense and practical ability of the nation, but his letters are filled with complaints of the reserve and coldheartedness of nearly all whom he met with. The characteristic difference between the manners of Germany and England appears to have led him on this occasion into an error scarcely worthy of his usual sagacity and penetration. 'What Mr. Russell has done, out of regard to my father' (he writes to his betrothed), 'would not often be done with us; and 'it is perhaps the main distinction between our mode of treating a stranger and that in use here, that we more quickly 'conceive a personal attachment and try to give pleasure; 'while the English in the same case spare no pains to be of 'use, but leave their friend to seek out his amusements for 'himself.' So far all is just: but what follows is superficial and unsound.

'In England you would seek almost in vain, I think, for the warmth and depth of feeling which characterise our friendships in Germany; isolation is the natural position to a young man, though in individual cases high esteem and veneration may call forth warm expressions of attachment, particularly in absence. . . . . But I have never witnessed nor heard of family life full of deep and tender affection, nor of a hearty, enthusiastic, mutual confidence between young men.

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I have indeed, though very rarely, been told of ardent love between married people, which expressed itself through the deep sorrow felt by the survivor; but even this love led to no results, for in other respects they retained the same indifference to all that appears to us of the highest value. Every young man has a crowd of friends; indeed, any one can have as many as he likes. But this sort of friendship consists simply and solely in a taste for paying each other long and frequent visits, and then killing the time together either in wild excesses, or in sleepy conversation, or boisterous merriment. I have remarked and proved by experience, what, perhaps, will astonish you, that it seems very strange to a young Englishman for a young man to speak of his absent friends with warmth, and to occupy himself with thoughts of them in his solitary leisure hours; and to this void in their hearts and imaginations, perhaps their universal licentiousness may be in a great measure ascribed. They are only happy in the enjoyment of sensual pleasures. They are much more ready and obliging in undertaking trouble for their acquaintance than we usually are; but it is no great merit in them; bodily activity is an enjoyment to them, and they are accustomed to it by their whole education and mode of life.' (Vol. i. p. 131.)

Niebuhr mistook want of demonstration for want of feeling. The reserve which he complains of—the shrinking from the expression of warm affection, and from lightly laying bare the secret fountains of the heart, which to him was so painful a contrast to the ready *épanchement* of the Germans—is the fruit of that native manliness of temper and habitual self-control which we regard as among the most valuable of our national characteristics. A German lays open to his friend the inmost sentiments of his soul without difficulty and without reticence; he lavishes on him expressions and manifestations of attachment which sound to us almost maudlin, and which an Englishman would blush to bestow upon any but the cherished mistress of his heart. Two German friends, after an absence of a year, filled up by a correspondence as voluminous as that of schoolgirls, will rush into each other's arms, with tears of rapture and prolonged embraces. Two Englishmen, whose hearts have beat in unison ever since they were boys, meet after long and silent absences, spent in voyages to the Antipodes, with a hearty shake of the hand, and the respective ejaculations: 'Well, old boy, how 'are you?' 'My dear fellow, I am delighted to see you.' Yet these men would unhesitatingly lay down their lives and fortunes in each other's service; their sympathy is deep and ready in each other's troubles, and is known to be so, however slight may be the manifestations of it; and they promptly divine and respect each other's feelings, though seldom speaking of their own. There are many sentiments—and those the tenderest and profoundest—which an Englishman conceives that it would be

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sacrilege to clothe in words. A German — whether because his feelings are less deep, or his nature and his taste less sensitive — has no comprehension of this dignified reserve. The explanation of one of our old poets would appear to him the height of injustice: —

> 'Passions are likened best to floods and streams—
> The shallow murmur, but the deep are dumb:
> Hence, when affections yield discourse, it seems
> The bottom is but shallow whence they come.'

We seldom consider enough how much we owe to that daily habit of controlling and concealing our emotions which makes us so undemonstrative and unexpansive; what strength it confers upon the character; what a power of meeting sorrow with serenity, and suffering with the resources of a stern endurance, it cultivates and trains; what an effect it has, not only in sparing the feelings of others, but in mitigating the severity of our own. Those who habitually give way to emotion induce a softness of temperament which, though it may be often amiable, is always dangerous: those who are early taught to *command* emotion, acquire a power almost of commanding calamity itself; in the presence of perils they can conceal their fears; and even in the presence of death they do not wholly lose the ingrained habits of a life-time. Like Charles II., whose exquisite urbanity led him, though of no heroic nature, to apologise to his friends for the unconscionable prolongation of his final agony, they never wholly forget what is due to those around them; or, like the stoic men of old, they draw their mantles around their face and lie down silently and decorously to die.

In May, 1800, Niebuhr married the sister of Madame Hensler — a true helpmate and a worthy sharer in all his toils and interests. She appears to have been a woman of a noble spirit and a cultivated mind, and to have exercised throughout both a soothing and elevating influence upon the somewhat wayward and irritable temper of her husband. Niebuhr's attachment to her was enthusiastic and devoted; and they enjoyed fifteen years of domestic felicity, broken only by her ill health and the public calamities of that disastrous period, in which they so largely participated. Immediately on his marriage Niebuhr returned to Copenhagen, where he had been appointed to a high post in the Board of Trade, to which was afterwards added the Directorship of the National Bank. This position and his connexion with Count Schimmelman, the Finance Minister, compelled him to give his whole attention to fiscal and commercial matters; and for six years he discharged his double duties with

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a skill, zeal, and disinterestedness which acquired him the esteem and affection of his colleagues and superiors, and, as he records in his letters, won the hearts even of the Jews. His scanty leisure was employed in his favourite study—ancient history; and it was during this period that he first developed his notions respecting the Agrarian Laws of Rome, which afterwards formed so marked a feature of his great work. But he felt all the time that he laboured under a great disadvantage: he could only bring to the investigation of historical problems occasions snatched from the turmoil of a busy life, and a mind wearied and harassed by the details of official routine; and instead of the society of men of learning and leisure, his principal associates, he tells us, were merchants, bankers, and Hebrews. When, therefore, the Prussian Prime Minister, Stein, who had heard of Niebuhr's reputation as a sound and skilful financier, invited him to Berlin, and offered him a high post in his own department (that of Director of the Bank), Niebuhr, though pained to leave his native country and his many friends, was too thankful both for the wider sphere of usefulness and the comparative leisure thus held out to him, not to accept the proposal with gladness. In October, 1806, he removed to Berlin, only a few days before the crushing defeat of Jena.

During the four years which comprised about the most confused and anxious portion of the annals of Modern Prussia, Niebuhr remained in the civil service of the State, under successive chiefs, and in various capacities. No sooner had he been installed in office under Stein than he had to fly with the minister, first to Stettin, then in succession to Dantzic, Konigsberg, Memel, and Riga. His letters depict in the most vivid language the wretched condition of the kingdom, and the despair of any better day which the marvellous victories and apparently irresistible power of Napoleon were gradually forcing on the minds both of English and continental statesmen. In 1806 he writes thus:—

'I have ever hated the French as a State, and regarded the humiliation of Germany with the same feelings that breathe through your odes. It is over, and I shall now inveigh, like the prophet Jeremiah, against those who dream of resistance, unless a case were to arise in which, like the Saguntines and Antigone, we must rather choose death. For is not death, when freely chosen and prepared for, the most solemn and beautiful thing to which life can aspire? Who could hesitate to prefer it to shameful servitude, even if he only regarded his own mental enjoyment? Meanwhile, it has not yet come to this with us in the north. Happy are we who have no children! For perhaps it might be well for whole nations to die out

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with this generation. With two gifts has England's genius blessed Lord Nelson and rewarded him for his deeds; that he died victorious, and therefore still full of hope, before he could know the defeat of Ulm; and secondly, that he left no children to grovel under the oppression of those whom he had so often made to pass under his yoke. We shall soon see how the French will govern the world. What we shall not see in the consummation, but can already perceive in its commencement, is the degeneration of intellect, the extinction of genius, of all free, all liberal sentiments, the domination of vice, of sensuality, not even disguised by hypocrisy; the decay of taste and literature — in this respect we are already long past the dawn. (Vol. i. p. 191.)

And again in 1809:—

'I am constantly asking myself here, whether we are really living in the same age of the world that we did formerly, when we calmly reckoned beforehand on the future, or built castles in the air; or whether all before us is not, as it seems to our eyes, chaos and night,—a universal destruction of all that now exists? . . . . Schill's desperate step will, I fear, quite decide the fate of Prussia. It is only a legitimate consequence, and the last for which I would blame the Emperor. For he will say to us: 'Either you gave your consent to it, or you did not; if you did, you are my enemies; if you did not, you are no longer a State, because you can no longer control your own subjects. . . . . Is Schill an adventurer, or a great man? In any case he is a fortunate man, even if he fall. It is the first new and unheard-of thing that has been done for many years. The dissolution of all civil bonds and institutions is completed: now must begin universal death and putrefaction, or the heavings of a new life. But where are its germs?' (Vol. i. p. 270.)

To us who live after the panic has subsided, and when the grounds of it are removed,—and who can read past events by the light which subsequent disclosures have thrown over them,—few things are more striking than the excessive alarm and despondency which Napoleon's march towards universal dominion excited in the minds even of the most strong and clear-sighted statesmen of the day. They saw him advance from victory to victory, lay prostrate often by a single blow the most renowned monarchies of Europe, attach one nation after another to his standard, and aggrandise his territories even more rapidly by diplomacy than by the sword. But they did *not* see — perhaps they scarcely could — behind this brilliant exterior of events, the causes at work which, sooner or later, must inevitably arrest the tide of conquest, and roll it back with resistless violence upon the shores of France. They did not see that the utter exhaustion, both of population, commerce, and cultivation, which Napoleon's conquests involved, must soon bring these conquests to an end, by leaving him destitute of those natural

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resources which had hitherto enabled him to achieve them. They did not perceive that the enormous armies which were requisite to crush the more powerful of his antagonists must, in a remote and hostile land, fall to pieces from their own unwieldiness, or from their distance from the base of their operations; and still more, that the cruel exactions and yet more cruel humiliations which he heaped upon the vanquished nations, were silently, but rapidly, arousing a desperate spirit of resistance and revenge which, when matured, would prove too mighty even for the energy of conquest, or the miracles of military science. The letters of Lord Jeffrey and the correspondence of Sir James Mackintosh (who assuredly was one of the most sagacious and profound observers of political events whom our age has produced) abound, like that of Niebuhr, in desponding passages as to the universal despotism which the French Emperor was establishing, and the night of barbarism which was falling upon Europe. In 1808 Mackintosh writes thus to a friend:—

'Who can tell how long the fearful night may be, before the 'dawn of a brighter morrow? Experience may, and I hope does, 'justify us in expecting that the whole course of human affairs is 'towards a better state; but it does not warrant us in supposing 'that many steps of the progress may not be immediately towards 'a worse. The race of man may reach the promised land, but 'there is no assurance that the present generation will not perish 'in the wilderness. The prospect of the nearest part of futurity, 'of all that we can discover, except with the eyes of speculation, 'seems very dismal. The mere establishment of absolute power 'in France is the smallest part of the evil. . . . Europe is 'now covered with a multitude of dependent despots, whose 'existence depends upon their maintaining the paramount 'tyranny in France. The mischief has become too intricate to 'be unravelled in our day. An evil greater than despotism, or 'rather the worst and most hideous form of despotism, ap-'proaches,—a monarchy, literally universal, seems about to be 'established. Then all the spirit, vanity, and emulation of 'separate nations, which the worst forms of internal government 'have not utterly extinguished, will vanish. And in that state 'of things, if we may judge from past examples, the whole 'energy of human intellect and virtue will languish, and can 'scarcely be revived otherwise than by a spirit of barbarism.' (*Memoirs of Sir J. Mackintosh*, vol. i. p. 383. See also pp. 296. 307. 375., and his speech on Peltier's trial for a repetition of the same gloomy forebodings.) When M. Guizot, in the preface to his recent work, speaking of the empire of Napoleon, calls it,

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not only the most dazzling and overwhelming, but also the most ephemeral meteor that ever crossed the horizon of the world, we must remember that he is speaking after the event: while the name of Napoleon seems a name to charm by, at least in France, even now.

During the whole of this melancholy period, however, Niebuhr continued his administrative labours,—now negotiating a loan with Holland, now aiding Stein and Hardenberg in their plans for the reorganisation of the kingdom, and rising yearly in reputation as a financier. At the close of 1809 he was appointed Privy Councillor of State, and Manager of the National Debt and Monetary Institutions of Prussia, and thus describes his duties in a letter to his father:—

'. . . . I have made up my mind to accept no post, in which the execution of my plans would have been committed into other hands, for I know that these plans are salutary, and I feel an unequivocal vocation to render help to this suffering nation. The administration of finance is not a science that can be learnt by studying a system; it is in reality an art. Many of its rules cannot be reduced to the principles of a system, even in the hands of those who have the clearest practical acquaintance with them; besides, there are a hundred arts and knacks connected with its management, which one can only find out for oneself, by actual experiment and long practice. I am conscious of possessing this art, and venture to say, moreover, that I know very few who are more than bunglers in it. It would be bad indeed, if I did not possess it, seeing that its acquisition has cost me the best years and the true vocation of my life.'

'. . . . My first business now, is to mark out and divide our respective departments. In general, my department includes the management of the national debt, home and foreign, the bank notes or treasury bonds, the financial arrangements respecting the alienation of the crown lands, the investment of all the cash balances not immediately required, the collection of the outstanding debts due to the Exchequer, the salt monopoly, and the banking operations of the State. From the personal confidence with which the minister, Count Dolma, honours me, I shall also exercise a general supervision over the public debts and systems of credit of the separate provinces, and over the private banks, which I propose to establish. The extent of my duties will thus be very great, and, unless my health keeps good, I shall scarcely be able to get through them. But with method, and a retired life, arranged in all respects with reference to my work, I trust it will be possible to satisfy the demands of my conscience.' (Vol. i. p. 286.)

In 1800 Niebuhr resigned his post in the civil service of the State, and was appointed Professor of Ancient History in the newly created University of Berlin. The three years that succeeded were probably the happiest, and, as far as regarded fame,

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the most effective of his life. For the first time he was now able to give himself up unreservedly to those inquiries and speculations which he so much loved, and for which his marvellous natural gifts of memory and imagination, as well as his stupendous acquirements, so peculiarly fitted him. He immediately commenced those lectures on Roman History which formed the basis of his published volumes, and which were at once appreciated by the learned world of Germany. This congenial occupation continued till 1813, when the catastrophe of the French army in Russia re-awakened in the minds of the Prussians the long dormant hope of liberation, and the whole nation sprang at once to arms. Niebuhr's letters convey a vivid impression of the all-absorbing excitement of this period. Even he, though a philosopher and a man of sedentary habits, seized a musket, and went through a regular course of drilling for the ranks. But the Government naturally thought he might serve his country more effectually in some more suitable vocation, and recalled him to official life. In 1815 he lost his wife, whose health had been greatly impaired by the hardships of their wandering life, and whom he loved with a deserved devotion. For a time Niebuhr was overwhelmed by the blow; but the company of his sister-in-law, Madame Hensler, and her niece, gradually restored him to serenity, and in 1816 he married the latter, and accepted the embassy to Rome, where he remained for seven years, till 1823.

At first sight it might appear as if this appointment were of all things precisely what Niebuhr should have desired, as affording him an opportunity for prosecuting his historical investigations with all the advantages of local knowledge, and of becoming personally acquainted with the scenes with which his imagination had been long familiar. But he does not seem to have regarded it in this light; he complains of it as an interruption to his studies, and laments especially over the want of stimulating society in the conversation of learned men engaged in pursuits similar to his own. But, in truth, from the day he entered Italy he appears to have looked on every thing with a jaundiced eye. Rome was no longer the Rome of his dreams, and he could never quite forgive the modern city for being so unlike the ancient. Every where he could read only traces of degeneracy: 'Even the very winds, he says,' (ii. 80.) are greatly 'changed for the worse!' So he spent his time in discussing diplomatic difficulties with the Pope and Cardinal Consalvi, decyphering ancient MSS., cramming and spoiling his son Marcus, and, worst of all, abusing the Italians, for whom he

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had no mercy, and of whose latent capacities and excellences he had evidently no appreciation:—

'About the Italians you will have heard Ringseis' testimony, and we Protestants can leave it to him to paint the clergy and the state of religion in this country. With an enthusiast, so full of heart as R., you can get on; between such a luxuriance of fancy, and the unshackled reason, there is much such an analogy as subsists between science and art; while, on the contrary, the slavish subjection to the Church is ghastly death. The most superficial prophet of so-called enlightenment, cannot have a more sincere aversion to enthusiasm than the Roman priesthood; and, in fact, their superstition bears no trace of it. Little as the admirers of Italy care for my words, I know that I am perfectly correct in saying, that even among the laity you cannot discover a vestige of piety. The life of the Italian is little more than an animal one, and he is not much better than an ape endowed with speech. There is nowhere a spark of originality or truthfulness. Slavery and misery have even extinguished all acute susceptibility to sensual enjoyments, and there is, I am sure, no people on the face of the earth more thoroughly *ennuyé*, and oppressed with a sense of their own existence, than the Romans. Their whole life is a vegetation, and when we who live here, recall the apologies made by a partiality which even excuses their indolence, it is impossible to repress a feeling of indignation. While whole families, not to speak of the servants, sleep round the charcoal pans in the winter, and often get suffocated out of pure idleness, the nobles carry on *conversazioni*, which are not much better, and in which, besides, most are neither speakers nor listeners. The universal knavishness, and love of pilfering, are also the effect of laziness; people must eat to cover themselves; and this must be made possible without interruption to their laziness. What it must be, to an honourable and public-spirited man, to live among such a people, I leave you to imagine. It is an utterly false idea to suppose that any relics of antiquity have been preserved in manners, customs, &c. . . . . Still I could, if need be, do without learned conversations; but to have no one with whom I can hold a rational conversation upon the affairs which concern mankind in general,—upon the events occurring in England, Germany, and France,—is positive death. Whether the Disputa, or the Heliodor, be the more perfectly painted, &c. &c., leaves me not only indifferent, but in the long run becomes insupportably tedious. Besides, it is not improving to be always limited to talking on subjects that you understand imperfectly, and on which you are always obliged to take a very inferior position to the persons with whom you converse, without any fault of your own.' (Vol. ii. pp. 130—133.)

If our space would admit, we should wish to break a lance with Niebuhr on behalf of this much maligned people, whom internal misgovernment and foreign domination have so long kept in a state of such deplorable and paralysing thraldom, and whose nobler capabilities have been hidden by the forced inac-

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tivity to which tyranny has condemned them. What but the chace of pleasure, or the pursuit of intellectual trivialities, is left to men of education to whom all political action, all official employment, is forbidden, and who, if they study and speculate either on religion, social philosophy, or civil science, must do so in silence and solitude, and too often at the hazard of their liberty? Surely, the noble struggle so recently waged against tenfold odds by the Sicilians, the Romans, and the Venetians, to say nothing of the successful achievements of the Piedmontese in the field of constitutional government, may be taken as indications of fitness for a higher destiny, whenever the turn of the wheel of fortune may make such possible for the Italians.

But we must hasten to a conclusion. Niebuhr quitted Rome in 1823, and fixed his residence in Bonn, where he remained till his death in 1831, partly engaged in official duties, but mainly occupied in literary studies. Here he resumed his professorship, delivered several courses of lectures, and continued his Roman History, and here, on the 2nd of January, 1831, he breathed his last.

Some of the most interesting of Niebuhr's letters are those in which he developes his views and anticipations with regard to the political condition and prospects of the Continent and of England. His opinions of English politics, as given both in the 'Correspondence' and in 'England's Zukunft,' appear to us often passionate, prejudiced, and narrow, and he speaks with a positive and oracular dogmatism which is sometimes offensive. But his sentiments with regard to Germany, though gloomy, are full of sound wisdom and melancholy pathos. He was an ardent lover of liberty, but he had no confidence in the efficacy of *institutions* to confer or to secure liberty where public virtue was defective or declining. 'I have little faith' (he writes in 1817) 'in the introduction of freer institutions, 'still less in their leading to any good results, while nations and 'their ideas remain what they are..... Freedom is quite im-'possible when the youth of a nation are devoid of reverence 'and modesty.' Nor had Niebuhr any faith in the permanence or desirability of that freedom which is snatched by the sudden uprisings of democracy, or which is built upon the destruction of the old order of things. He looked with almost equal indignation on the tyranny of incompetent and insolent rulers, and the desires of an incompetent and presumptuous people. 'Each 'man wants to govern, and thinks he can do it *extempore*; if 'you doubt his capacity, he feels himself insulted. But no one 'is ready to bear burdens for the community.'.... On the other hand, he writes in 1819, 'It is equally severe and unjust

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'to have recourse to severe and coercive measures against a 'sect, which your very violence converts into a party, without in 'the least reforming your own proceedings, without redressing 'a single real grievance. How utterly without love, without 'patriotism, without joy; how full of discontent and grudge 'must life be, where this is the relation between subjects and 'their governments! Our rulers do not perceive that Prussia 'can only subsist upon a moral and spiritual basis. I know 'very well whose spiritual children the democrats are;—I know 'you cannot allay their wild clamour, however well you govern, 'unless you do them the favour of adopting their senseless 'plans;—but they could be detached from the people at large 'if the latter found they were governed wisely and well.'

'I am an anti-revolutionist, and from principle; but I am so likewise from my antipathy to revolutionary ideas, which would be in themselves repugnant to me, such as they are when conceived in shallow brains, even if they lead to no results whatever. At the same time, however, I hope you will give me credit for the most decided hatred to despotism, though I would not attempt, nor do I think it possible, to counteract it by evoking the demon of revolution. Dreaming will do no good; we must think: and we must rather resign ourselves to an evil, than wish to open the gates of hell upon us. But believe me, I am not so unfair as to condemn those who merely dream, and wish this in their dreams; though I could weep tears of blood that such errors should be possible. I know that noble minds may be thus led astray; but when the confusions they excite deprive us all of the modicum of liberty still left to us, I have a right to be indignant. I am not now referring to the bad men who form the ringleaders; they are morally criminal; wisdom would not treat them as politically criminal, even if some among them are so, on which I will not decide, for if you touch them, you make martyrs of them. The only salvation would be to rule with conscientiousness, virtue, and love; and by this means the goal would infallibly be reached; and on one side, to become better, more virtuous, and more contented. No government could succeed, in the long run, in carrying out pernicious measures against a strong people, inspired by good and noble sentiments, and fulfilling its duties faithfully and conscientiously. To wish to bring about a better state of things by revolutions, which generally owe their origin to the base motives of their leaders, and in which bad means are invariably resorted to, is to pay homage to the jesuitical maxim, that it is lawful to make use of bad means to accomplish a (supposed) good object. I shall adhere to these principles, although I foresee that malice will persuade folly, on the one side, that I am a revolutionist,—on the other hand, that I am a foe to freedom. Strange! that I am not misunderstood in France and England, where I am daily becoming better known.' (Vol. ii. p. 168.)

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The French Revolution of 1830 took him by surprise; after it, he writes in the following gloomy strain:—

'It is my firm conviction that we, particularly in Germany, are rapidly hastening towards barbarism, and it is not much better in France. That we are threatened with devastation, such as that two hundred years ago, is, I am sorry to say, just as clear to me, and the end of the tale will be, despotism enthroned amidst universal ruin. In fifty years, and probably much less, there will be no trace left of free institutions, or the freedom of the press throughout all Europe, at least on the Continent. Very few of the things which have happened since the revolution of Paris, have surprised me. . . . . Many royalists are not so in the same sense as I and my fellow-thinkers; they regard that as admirable and praiseworthy which we only defend as necessary in principle, without denying that in the actual state of things it often works very ill; and, therefore, while we maintain that if it fall, everything must go to ruin, yet, we prophesy that no human power can uphold it, unless a reform take place, and a new life be infused into it. For example, we say there must be an aristocracy, indeed, an aristocracy of many grades; but we add, at this moment there is no tolerable aristocracy existing, and that which calls itself such, is a phantom from which all vital energy has fled. The other party are satisfied with this aristocracy as it is, and fancy it is only necessary to compel obedience. We say, make proper regulations, and obedience will not be wanting if a good example is set to the people. They think to accomplish all by repression, and we demand free scope for movement, in conformity with the law. We say, when the government understand their vocation of ruling, the subjects will soon return to theirs of obeying. And so on without end.

'In this, our two parties (if I may call them so) agree, that revolution is rebellion, and that of the most ruinous kind that can befall a nation; and likewise, that we despise the liberals beyond all expression for their shallowness and wickedness. But I do not thereby abrogate my conviction that it is only the despotism now inseparable from it, owing to the monstrosity of the ruling ideas of the present day, which renders revolution so utterly execrable, that it can bring forth nothing but evil, and that a sensible man ought to risk everything even for a bad government, sooner than submit to it. My conviction is, that ere the despotism of liberalism became all-powerful, there were perfectly justifiable revolutions, in which one power was victorious in the struggle with the usurpations of another power, as in England and the Netherlands . . . . . Constitutional forms are of no use among an enervated or foolish nation. What avails the choice of representatives, when there are no men fit to represent the people? Is it answered, "let them learn by practice;" that is, indeed, to sport with the gravest matters. I say, give them free communal institutions, and let them, in the first instance, learn by practice within a sphere with which they are acquainted. Believe me, (but that *you* know already), I know how to prize a free con-

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stitution, and am certainly better acquainted than most with its meaning and worth; but, of all things, the first and most essential is, that a nation should be mainly unselfish and honourable. If it is that, free laws will grow up of themselves by degrees.' (Vol. ii. p. 392.)

Altogether this work is one of the most valuable contributions to our biographical literature which has been made in recent times, and we earnestly recommend it to all our readers. It is impossible to peruse these volumes without learning to love Niebuhr almost as much as we have been accustomed to admire him. With hasty impulses, and a somewhat irritable temper, he combined a warmth of heart and a profound tenderness of nature which break forth in every line; while earnestness of purpose, ardent patriotism, and the sincerest devotion to the truth, overpowered all meaner or more selfish feelings, and conferred a tone of dignity and elevation to his character which renders the delineation here given of it at once attractive and inspiring. It must be a cold and unsympathising spirit which can read this record of indefatigable industry, noble aspiration, sacred integrity, and unwearied zeal in the discharge of dry official duties, without the heartiest appreciation, and without something, at least, of a wish to emulate such rare endowments.

ART. VI.—*Memoirs of the Marquis of Rockingham and his Contemporaries, with Original Letters and Documents, now first published by* GEORGE THOMAS, EARL OF ALBEMARLE. Two Volumes. London: 1852.

ASSUREDLY the lines of David Hume and his contemporaries were, as regarded the composition of their works, 'set in pleasant places.' A few folios and quartos, like Echard's and Salmon's, backed by the Cabbala, Rushworth's and Birch's Collections of State Papers, were their stock in trade. Manuscripts they seldom consulted: publishers' announcements of 'original letters' they had little reason to dread. Other men toiled and they spun, and the public applauded their graceful narratives as full and authentic accounts of English or Scottish events. Even the critics of their day, although neither unwilling to wound, nor afraid to strike, seldom possessed the means of knowing more than the historians themselves. The secret of cabinet and party intrigues slumbered, for the most part, in family chests, and the fashion of printing private letters was not as yet greatly in vogue.

But these Saturnian days have passed away. Not only are

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State Papers more accessible, and even the secrets of the Calendar of 'the Bags de Secretis' brought to light, but the publication of family papers and journals has proved to the historian the breaking up of great deeps. We have still superficial narratives and partial chroniclers. But the penalties upon misrepresentation are now much heavier, and also far easier to enforce. The dead seem at the present day to be yet speaking in their letters; the owners of these treasures regard themselves generally as trustees of them for the public; one by one fragments of the past are disinterred; counter-depositions are being perpetually handed in; and the Mahons and Macaulays of our age sit like Minos and Rhadamanthus in perpetual assize, and are embarrassed by the very opulence of their materials.

Of the contemporary documents which now enable us to explore the maze of royal and party intrigues at the commencement and during the first twenty years of George III.'s reign, none are upon the whole more instructive than the Memoirs of the Marquis of Rockingham. The materials are solid, and the workmanship is generally good. We do not indeed assign to the noble editor at all a high place in the guild of bookmakers. With half his resources, and with very inferior talents for narrative, many writers would have forgotten their editorial functions altogether, and buried the letters under a mound of commentary. Lord Albemarle, however, has discharged his subsidiary labours more piously. Where his documents were sufficiently explicit, he is silent; where they need illustration, his comments are brief and pithy. Samuel Johnson, when he reported the debates for Cave's Magazine, took care, as he tells us, not to let 'the Whig dogs' have the best of the argument; and the descendant and representative of the 'true blue' house of Keppel occasionally recollects a family feud or tradition in his account of the Grenville and Bedford Whigs. But this is not more than might naturally be expected from so zealous a disciple of the Rockingham school, writing under the conviction that Burke's most efficient patron, and Fox's chosen model in all but eloquence, had hitherto been treated unfairly by even Whig historians, and had recently been strangely undervalued by no less an authority than Lord Mahon.

The period embraced in the volumes before us extends from the accession of George III., in 1760, to the decease of Lord Rockingham in 1782. The staple of the work consists of the papers of that estimable statesman, now in the possession of his nephew and successor, the present Earl Fitzwilliam; of letters contributed by the editor himself; and of others furnished by

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the Duke of Richmond, the Earl of Hardwicke, and the Rev. Charles Lee, great nephew of Lord Rockingham's friend, Attorney-general Lee. Lord Rockingham's own letters it is scarcely possible in one sense to commend too highly. They do not indeed display any particular graces of epistolary composition. They aim at neither eloquence nor wit. But, like their author, they are honest, earnest, and dignified. Written often in haste, often under the joint pressure of business and sickness, they are never feeble. Addressed to persons of the most dissimilar characters — to the king, to colleagues, to opponents, to stanch friends, to hollow supporters — they are never coloured by a wish to please or beguile. The tone of his correspondents is much more diversified. The Duke of Newcastle's letters are querulous; the elder Pitt's are tumid and oracular; Sir George Savile conveys sagacious counsels in a rough cordial garb; Burke writes fervently, — *pressus et instans sibi*, — and his Majesty like a shrewd and wary attorney. There is indeed much epistolary physiognomy in these memoirs. No statesman of his age possessed more loyal friends than Lord Rockingham, and his letters show that he merited their devotion to him.

Lord Albemarle has discharged his editorial functions so generally well that we are sometimes disposed to regret that he did not become the biographer of Lord Rockingham. Under a more regular form it would have been easy to render the principal figure of his group more central and conspicuous. What, however, the nature of his work in some measure debarred the editor from doing, we shall attempt briefly to do, and place Lord Rockingham himself prominently before our readers, in the light of the acknowledged chief and eponymus of the most sound, if not the most brilliant section of the Whig party during the latter half of the last century.

On the female side Lord Rockingham was descended from one who would have felt small sympathy with his principles, even if he had not deemed him a fitting subject for examination before the Star Chamber. Edward Watson, second Baron Rockingham, married Lady Anne Wentworth, eldest daughter of Charles the First's able and unprincipled Deputy of Ireland, the Earl of Strafford. By this marriage there were two sons, Lewis, who succeeded to the Barony, and Thomas, who took his mother's name of Wentworth. The son of the latter, also Thomas Wentworth, was created Baron Malton, Viscount Higham, and Earl of Malton, and his honours came so thick and rapidly upon him that Sir Robert Walpole remarked, 'I 'suppose we shall soon see our friend Malton in opposition, for 'he has had no promotion in the peerage for the last fortnight.'

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But his promotion did not stop with an earl's coronet. His uncle Lewis dying without issue, the Earl of Malton became Baron, and, on the 19th of April, 1746, Marquis of Rockingham. His youngest, and as it proved, sole surviving son, was Charles Watson Wentworth, second Marquis of Rockingham, the subject of the present Memoirs.

He was born on the 19th of March, 1730. He probably inherited a feeble constitution; for his health, in manhood at least, was infirm, and his four elder brothers had died in childhood. 'Of his green and sallet days,' so often marked by the shadows of the future character, Lord Albemarle records nothing. But he was an ardent lover of field sports, and from the soubriquet which he acquired in his own family, 'Monkey Charles,' it may be inferred that he was somewhat of 'a Pickle.' The 'Memoirs' contain one escapade of 'Monkey Charles,' which has a serious aspect, and might have had grave consequences. In December, 1745, he was passing the Christmas holidays at Wentworth. At that moment there can scarcely have been more than one topic of conversation in hall or cottage throughout all the Ridings of Yorkshire. For not more than a fortnight before the 'breaking up' at Eton, the Pretender had been quartered at Derby with an army of strange garb and yet stranger speech. A hundred years before a Scottish army had in like manner crossed the Border to set the heir of the Stuarts upon the British throne. Bad as the roads were, and slowly as news circulated in 1745, it must have been known by the end of December in every hamlet in Yorkshire, that on the sixth of that month, — the long remembered Black Friday, — the shops in London had been shut, and the streets of London thronged with horsemen and carriages hurrying southward, and the royal yachts moored at Tower Quay ready to sail for Hanover at a moment's warning. By the end of December indeed the Highlanders had disappeared from Cheshire and Lancashire: but the alarm which their presence had caused did not immediately subside. In no family circle can we imagine greater joy to have prevailed at their retreat than in that which was then burning the yule-log at Wentworth House. Upon no member of that circle were the feelings of the crisis more deeply impressed than upon the youthful heir of the Barony of Rockingham. One morning he was missing from the breakfast table. He had ridden forth early with a trusty groom. Night came on, and neither the groom nor his young master had returned. The next day it was discovered that Lord Higham and his attendant had been seen riding rapidly in a northerly direction. Soon a letter arrived from the truant himself, dated 'Carlisle,' the head

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quarters of the Duke of Cumberland. This letter has been lost: but it was succeeded by a second to the Countess of Malton which deserves to be ranked among characteristic epistles. Its tone is any thing but apologetic. It betrays no feeling in the writer of having done any thing adventurous. It expresses indeed pious regret for anxiety occasioned, but it soberly alleges 'the desire of serving his king and country as 'much as lay in his power,' as the sole motive for the liberty the youthful patriot had taken. The incident would well have ushered in a more striking career than followed.

In 1750, Lord Higham, or, as he had since become, the Earl of Malton, succeeded his father as Marquis of Rockingham. Soon after he came of age, he was appointed Lord Lieutenant of the North and West Ridings of Yorkshire, and a Lord of the Bedchamber to George II. In 1760, he received the order of the Garter. His birth, his connexions, his large estates, and his political principles marked out the second Marquis of Rockingham as a leading Whig magnate of the time. But he was destined to a yet more conspicuous part than merely ranking high *inter Pelopidas.* From the fifth year of the reign of George III. his biography falls into the great stream of history.

A few years ago it was scarcely possible to obtain from books alone either clear or consistent accounts of the earlier periods of this reign. Neither Aikin, Belsham, nor Adolphus solved, or indeed had it in their power to solve satisfactorily, the Whig or Tory problems which they had respectively proposed. It was unsafe to put trust in Walpole: it was impossible to credit Wraxall: and Madame D'Arblay's memoirs did not, we confess, create in us any remarkable desire to know more of the Penates of Windsor. We believe that there is an opinion current in many quarters that the reputation of George III. will 'improve with keeping.' The Rockingham memoirs do not favour that expectation; neither do they materially sanction a still more flattering opinion that he was *felicior Augusto, melior Trajano,* — a kind of patriarch sovereign, who ruled his tribe paternally, and whose virtues it is ungrateful, if not impious to deny. On the other hand, it was difficult to account for the frequently pitiful spectacle presented by that monarch and his advisers in the period between his accession and the close of the first war with America. The North papers have been suspiciously destroyed; but with the Bedford, Chatham, and Rockingham correspondence before us, and the Grenville in course of publication, — and we should rejoice if the archives at Luton were similarly exposed to view, — we are in a position to estimate fairly the claims of the King and of his ostensible or secret counsellors to the praise or the blame

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hitherto accorded. The veil has been gradually drawn up. We are become, and with the advantage of distance, spectators of the passions and intrigues which, whether in the Royal Closet, or in the conciliabula of Hayes, Stowe, and Richmond, broke up the 'Whig connexion,' reanimated the Tory party, committed the Crown and Legislature to direct collision on grave political questions with an able and profligate adventurer, paralysed the genius of Chatham, barbed the arrow of Junius, and severed from Great Britain the fairest portion of her colonial empire.

The first twenty years of George the Third's reign resemble in their historical features those level passages which the great masters of harmony introduce into their works to usher in more effectively some sublime crescendo or catastrophe. It was an age generally barren in great events and heroic characters; but it was also an age teeming in no ordinary measure with the germs of both material and intellectual development. In the year 1760 the curtain had dropped for ever upon the crimes and the woes of the Stuarts. The warlike ardour which Pitt had kindled by his eloquence, and guided with singular energy and fortune, was dying down. France, indeed, had been humbled, and in the orator's phrase, 'brought to her knees;' but the English nation was beginning to count the cost of bonfires and artillery-salvos, and banners hung up in St. Paul's and oxen roasted in market-places. The country at large was generally prosperous; but it was also greatly in debt. Apathy had succeeded to turbulence in the political world. The course of parliamentary debate ran as smoothly for the most part as the discussions of a parish vestry. The Tory opposition, either sullenly acquiesced in their Hanoverian king and his Whig counsellors, or gradually amalgamated with their former opponents, and accepted subordinate offices under a government which their grandfathers had denounced as contrary both to divine and human law. The Whig phalanx no longer presented that compact and serried front which had seated and kept the House of Brunswick on the throne, and had compelled its princes to accept ministers from the hands of the nation, and to take the Act of Settlement as a guide to their feet and a lamp to their paths. On the surface of parties there was indeed a great calm; but in the heart of the Cabinet, and in the disposition of the youthful sovereign, were the elements of a storm, which for the ensuing twenty years disturbed both the Monarch and the Legislature.

It soon became obvious that a new Pharaoh had succeeded. The speech which the King made to his Council was not previously submitted to the Cabinet. The Duke of Newcastle stood

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aghast at such royal independence: and Pitt was naturally, if not justly, offended at certain phrases which seemed to reflect upon the warlike policy of the late reign. It was also equally apparent that the responsible advisers were not the real counsellors of the Crown: that the royal ear was preoccupied by the suggestions of Lord Bute, and that the Princess Dowager had instilled into her then docile son the maxims of Bolingbroke rather than those of Somers or Walpole. The doctrines sketched in the 'Craftsman' and the 'Patriot King' had passed from Leicester House to St. James's Palace. The objects and tactics of the new system are thus concisely stated by Lord Albemarle:—

'The primary object of the Leicester House system was to break up the powerful Whig confederacy which had been, with little intermission, in power since the Revolution, and without any interval since the accession of the House of Brunswick. Strong in family connexion and popular sympathy, the Whigs had seated and retained that dynasty on the throne, and their motive in upholding a foreign rather than a native line of princes was, that they might the more effectually protect the liberties of the people against the encroachments of the Crown. But since the Whigs, collectively, were too powerful and too popular a body to be summarily dismissed, the leading men were to be removed, one by one, from the Cabinet and the Household. They would thus be expelled from office without the benefit of popular feeling in their behalf, and would enter Opposition as a corps distrustful of one another, and disunited among themselves. Had the designs of the Court been confined to the adoption of a less liberal school of policy, the new scheme would not have differed from an ordinary intrigue for the removal of opponents and the acquisition of office. But the royal junto had a deeper and more unconstitutional purpose in view. They wished virtually to supersede both the old Whig and Tory parties, and to create a third party, which might form a permanent barrier against the attempt of any future Cabinet to act independently of the royal will. The old method of ruling by favourites was to be revived under a new form. In the place of an individual minister, a Buckingham or a Strafford, whom popular odium might easily displace, or an Abigail Masham, whom a responsible minister might purchase or disregard, a cabinet or household of favourites was to be placed around the sovereign, in numbers sufficient to divide and weaken popular hatred, and with influence enough to command a certain measure of political support. A confederacy of renegades from every political section of the State was accordingly formed, which was afterwards known by the appellation of "King's Friends." The members of this new association abjured all party distinction, and professed to regard the pleasure of the Sovereign as the sole source and condition of power. Although holding many of the offices under the Crown, they acted irrespectively of the King's constitutional advisers: and voted with or against Ministers according to the expressed or supposed predilections of their royal master.'

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George III., like Charles I., inherited from his predecessor a war with France, and a quarrel with Spain. The Whig Ministry was divided in itself about the prosecution of the war. Pitt, and his brother-in-law, Lord Temple, were belligerent; the rest of the Cabinet inclined to peace. Through this breach of official continuity, Lord Bute made his first approaches. He began by cajoling Newcastle with assurances that he was more acceptable to the King than his eloquent and popular colleague. The Duke was summoned to Carlton House some hours before the great commoner, and His Majesty adroitly affected great regard for his person, and significantly hinted that the favourite was his good friend. Pitt accordingly had grounds for suspecting that Newcastle had been the first to see and approve of the Royal Speech, in which the war was mentioned with some disparagement. He succeeded indeed in giving to the Speech a more martial tone; but here were good foundations laid for jealousies and schisms between partners never very cordially disposed to each other.

The rent speedily grew wider. The peace party in the Cabinet could do nothing but appoint negotiators, whose intercession was nullified by Pitt's despatching 'two days before the 'bearer of the French olive-branch arrived in town,' an armament against Belleisle. Newcastle protested against saddling the nation with fresh loans and taxes, and talked with no bated breath of the uncivil usage he met with 'from Pitt and his 'bloodhounds.' In a letter written on the 15th of August, 1761, he describes his rival's conduct 'as bad, as unjust, as hostile, and 'as impracticable as ever came even from him.' On the 5th of October, Pitt resigned office, and his example was followed two days afterwards by Lord Temple. The Cabinet generally was opposed to an immediate declaration of hostilities with Spain, and Pitt 'would no longer remain in a situation which made 'him responsible for measures he was no longer able to guide.'

The Whig Cabinet had rested upon three main pillars—family connexion, borough influence, and Pitt's eloquence. Its popular element was now removed: it remained to sever and discard the others. Newcastle was the next victim. There were limits even to his endurance, and a series of slights and affronts at length drove him to resign. On the retirement of his great rival and colleague, indeed, he had hoped to regain his former preeminence. But he had only exchanged an impracticable partner for an absolute master, as Lord Bute immediately assumed the entire management of affairs. His almost hysterical joy at Pitt's resignation was speedily followed by equally hysterical distress. Lord Talbot, who, as a 'king's friend,'

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probably knew what was likely to happen, considerately advised his Grace 'not to die for joy on the Monday, nor for fear on 'the Tuesday.' Bute bullied, the Court thwarted, His Majesty was 'barely civil' to the dowager Secretary: his advice was disregarded, his patronage, once so efficient, could not now procure a tide-waiter's place; and on the royal visit to the city on the 9th of November 1761, the mob greeted him with cries of 'no Newcastle salmon.' In the following May, he tendered his resignation with some dignity, since he declined a pension, and refused to be coaxed either by the King or the favourite into promising them his support.

The leaders of the Whig Cabinet were now dismissed. But so long as a Whig household remained about the Royal person, Lord Bute's triumph was neither complete nor sufficiently proclaimed. It was not then, indeed, the fashion to regard the Cabinet and Household as politically connected with each other: and the ties of party appear to have been, to modern notions at least, exceedingly lax and undefined. The Duke of Devonshire, whom the Leicester House faction denominated the 'Prince of 'the Whigs,' was Lord Chamberlain. He intimated to His Majesty shortly after Newcastle's retirement, his willingness to remain in office, but declined assisting at councils which were conducted on principles he could no longer approve. This divided allegiance was highly displeasing both to the King and the favourite, and the staff of office was torn rather than taken from him. The Duke's brother, Lord George, on the same day gave up his place of Comptroller of the Household, and was treated 'in the closet,' with equal contumely. Immediately after these changes, Lord Rockingham resigned his post of Lord of the Bedchamber, not, however, without a grave and temperate remonstrance to the youthful monarch upon the unusual and dangerous tendency of the counsels which now prevailed. But George III. was as incapable of following, as Lord Bute was of giving, wholesome advice. Both trod in the paths of Charles and Buckingham, with more adroitness but with less excuse.

Irony is seldom the growth of royal minds. It is too closely allied, on the one hand, to earnest feelings, and, on the other, to a subtle intellect to be native there. But if George III. have any claim to that quality, it rests upon the opening sentence of his Address to the Privy Council on assuming the kingly office. 'Born and educated in this country, I glory in the name of 'Briton, and the peculiar happiness of my life will ever consist 'in promoting the welfare of a people whose loyalty and warm 'affection I consider as the greatest and most permanent security

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'of my throne.' Taken in connexion with their proper context, the political history of the succeeding twenty years, these words may be read with a sigh or a smile, like the *nolo episcopari* of Laud or Phillpott. The youthful King did not indeed overestimate the advantages of his position; but he knew not how to turn them to the best account. His title to the crown was undisputed except by a few sullen Jacobite squires and a few Oxford divines. His person was manly, his demeanour was agreeable and gracious, his morals were free from the reproach of fashionable vices, and he had not been mixed up directly in any of the squabbles which for two generations had rendered the royal house so unedifying a spectacle to all tolerably accordant fathers and sons. The English people is generous and confiding, and was prepared to greet its new sovereign with all the warmth of a new passion, and with more than the indulgence naturally extended to a young and untried prince.

He was, however, at the outset as much deserving of pity as of blame. His 'common mind' was formed by his 'education.' His antipathies had been sedulously nurtured, his discernment purposely blinded by those who had charge of him. His mother, a factious and turbulent woman, derived her notions of the duties of a king from the precepts of her Tory circle, and the practice of a German court. From his boyhood she had ever whispered into his ear, 'George, be king;' such a king, namely, as Britain had not seen since 1687,—a king who aspired to control his responsible advisers, and to tamper, since it was impossible to dispense, with Parliament. Of his tutors, those who, like Lord Waldegrave or Mr. Stone, might have imparted wholesome instructions, were scarcely allowed access to him, while the lessons really inculcated into the royal pupil were the doctrines of Bolingbroke, commented upon by a tuft-hunting bishop and a vain and superficial Scotch nobleman. From Harcourt, Bishop of Norwich, he learned little of religion beyond its formalities and a hatred of dissent; and Lord Bute carefully trained him to be an absolute prince, in order that the favourite himself might in due time become a more absolute prime minister. Now this was worshipful society, and the effects of such communications were speedily apparent. The young sovereign was by disposition decorous and methodical, a dutiful son, a constant husband, and a kind, if not a discreet parent. He was diligent in business, and not without shrewd insights into character. His fondness for field sports and agriculture qualified him for a first-rate country gentleman. As Master of the Hunt, or even as chairman of the Berkshire Quarter Sessions, he would have made a popular figure. But

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he never imbibed from his tutors, nor, perhaps, could he imbibe from them, a single lofty aspiration, or a single sentiment, befitting his position. The Princess Dowager lived immured with factious partisans or scandalous ladies-in-waiting. Lord Bute dabbled in the arts, and excelled in private theatricals. But he had neither official nor worldly experience. He was as frivolous as Carr, and as supercilious as Villiers. The young Augustus had been trained by a foolish Livia and a faltering Sejanus.

Nor was the great Whig party itself at the time by any means blameless. In the pages of the 'Rockingham Memoirs' we trace its gradual return to the pure doctrines of Somers and Halifax, but we behold it at first in a divided and degenerate condition. With regard to party *ab extra*, it slumbered in the lap of security. The eloquence of Pitt had awed opposition, the borough influence and bureaucratic arts of Newcastle had slackened the tone and impaired the energies of Parliament. But as regarded the party itself within, 'fears and jealousies had 'cast a scurf' over its vitality. By its own imperfect cohesion it met the gathering opposition to it half way. Pitt and Newcastle had never been sincerely in accord. As early as 1756 a negotiation had broken off on Pitt's refusal to come into office, if the Duke of Newcastle were to continue in the Ministry. (*Grenville Correspondence*, vol. i. p. 436.) Both were jealous of the Bedford section, and that section in its turn kept sullenly aloof from the main body of the connexion. For the general purification of the whole body a series of disasters and mortifications was perhaps needed, and Wilkes, Junius, and the American War sifted and winnowed effectually the chaff from the wheat.

On the Duke of Newcastle's resignation Lord Bute became First Lord of the Treasury, Mr. Grenville Secretary of State, and Sir Francis Dashwood Chancellor of the Exchequer. In the eyes of contemporaries the latter appointment was singularly unhappy, for Sir Francis was at once eccentric, immoral, and incapable. It was not, however, the most infelicitous in the end, for both Dashwood and Lord Bute were officially short-lived, and the burden of misgovernment lay for several years on the shoulders of Grenville alone. To him, at least to him principally, must be ascribed the unseemly collision with Wilkes, the calamitous breach with the colonies, and the feuds, jealousies, and follies of parties and statesmen, which caused the earlier period of George III.'s reign to resemble, as the 'North Briton' shrewdly remarked at the time, some weak and miserable epoch in Byzantine annals. In the following sketch of the 'Grenville 'brothers' Lord Albemarle has, perhaps, scarcely awarded

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sufficient credit to the elder of the two for some warmth of feeling to his kindred, and for a still greater generosity in pecuniary matters. In other respects the portraiture is sufficiently exact, and is traced with that precision which generally distinguishes our author's pencil:—

'No two monarchs were probably ever more pestered by their advisers than George the Second and his successor by Lord Temple and George Grenville. Nor were their Majesties the only victims. There was scarcely a contemporary statesman who had not been bullied or bored by this ruthless pair of brothers. Both indeed were tormentors of the first order. Yet their connexions rendered them indispensable; their talents, their knowledge of the world and of parliamentary forms made them serviceable; and their profession of Whig principles gave them a kind of reputation for liberal sentiments.

'Richard, Earl Temple, the elder brother, had good business-habits and much industry, and was by no means an inefficient speaker. His huge ungainly figure procured for him the nickname of "Squire "Gawkey." The qualities of his mind were indeed as loosely put together as his limbs. With much ambition, his own wayward caprice or masterless pride constantly marred his plans of self-aggrandisement. He was frequently asking favours of George the Second. That monarch accounted himself at least a Turenne in war; yet his Privy Seal gracefully insinuated that His Majesty had no more spirit than Admiral Byng, whose death-warrant he had just signed.

'One of Temple's grand schemes was to establish a triumvirate government*, to be composed of himself, his brother George, and his brother-in-law, Pitt—three men whose opinions were as opposite as the antipodes, and who were almost always at personal variance with each other. Temple, indeed, appears to have had no fixed principles of action. He adopted the cause of prerogative against the Americans, and the side of Wilkes against the prerogative. Mischief

* Mr. G. Grenville, in 1762, drew up a formal narrative of their family quarrels. He attributes them to Pitt; the friendship and political intercourse with whom, he says, 'have proved so fatal to 'the peace and happiness of our family,' and by forwarding whose marriage with his sister, he describes himself as 'having brought 'into the family an enemy and not a friend.' Afterwards, on Pitt's neglecting to secure for him the office of Paymaster, he adds, 'My 'two brothers were privy to all that had passed on this occasion; to 'them I expressed my surprise and dissatisfaction at a behaviour so 'contrary not only to the friendship and alliance subsisting between 'us, but to the engagements of honour and good faith. I cannot say 'that either of them interested themselves at all in this complaint, or 'took any other part than to use their utmost endeavours to persuade 'me to acquiesce in it.' (*Grenville Correspondence*, vol. i. p. 422.) *Divide et impera* was not difficult for the monarch here.

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appears to have been the main incentive of his actions: nevertheless he preferred being a backer rather than a principal. He was Wilkes's prime instigator in his wicked pranks against the King and the Court. He was likewise Chatham's evil genius: and occasionally led his brother-in-law to commit imprudences into which a school-boy would hardly have fallen. He was indeed the cause of half the errors and inconsistencies committed by that statesman. The result of his political life was that Lord Temple, after thirty years' factious meddling in public affairs, died distrusted and avoided by the associates of his earlier days.

'George Grenville was greatly superior to his brother in talents. Pitt considered him to be the best parliament man in the House. Formal, punctual, and exact he undoubtedly was. But his pride and pertinacity were as obstructive, as his regularity was conducive, to progress in affairs. Ingratitude was one of his besetting sins. Whatever may have been Lord Bute's demerits, he at least was Grenville's benefactor. Whatever may have been Pitt's profusion in war, Grenville long supported his martial measures. Yet he was among the very first to turn against Bute, and to upbraid Pitt for his extravagance.

'Unlike as were the brothers in personal appearance, there was much similarity in the conformation of their minds. Their common characteristics were pride, want of tact, and jealousy of all around them. Each lost office by the violence of his temper, and the haughtiness of each rendered a return to power impracticable. Each of them was revengeful; each vented his vindictive feelings in pamphlets. Each possessed a stream of words, which, in all places and on all occasions, flowed from him *in omne volubilis ævum*. Like Temple, too, George Grenville regarded the King as the proper butt of his tedious harangues, and, at times, of his angry invective. "When he "has wearied me for two hours," said George the Third, exhausted after one of these inflictions, "he looks at his watch to see if he may "not tire me for an hour more."'

The 'Grenville Correspondence,' and especially the 'Diary,' afford us glimpses into the royal closet about this time which fully confirm Lord Albemarle's account of this at once unpopular and uncourtly Ministry. From these sources we learn that Lord Mansfield informed His Majesty that Chief Justice Pratt was a more scandalous judge than Jeffries himself;—that Grenville was wont to talk of Pitt, Pratt, and Wilkes as the extreme section of the Opposition;—that the King himself would not inquire about the health of the Duke of Cumberland, who had recently been struck by apoplexy, lest he should be supposed to have a regard for him. Grenville, we are told, on the same authority, complained of backstair influence, and the Queen's ladies of honour lamented that Lord Bute's handsome form was married to such a 'fluctuating mind.' The position of the King, indeed, had become most infelicitous. His victory

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was more bitter and humiliating than defeat. He had exchanged his grandfather's strict counsellors for imperious masters, or for friends and favourites who brought him into contempt. He reaped early the fruits of division. Lord Bute, after a vain attempt to lure Pitt and Newcastle back again to the posts whence he had driven them, himself suddenly quitted the helm. He had not found office a bed of roses, and he had stuffed the royal pillow with thorns. No acclamations greeted the King when he appeared in public; in private he was still more unhappy; his Ministers upbraided him with inconsistency, if not with treachery; his friends were undisciplined and indiscreet; and a sovereign who had ascended the throne the most popular of his race became, in the short space of five years, nearly as unacceptable to the nation at large as Edward II. to his barons, or as Charles I., after the imposition of ship-money, to the freeholders of Buckinghamshire.

On the decease of the Duke of Devonshire, in 1764, the headship of the Whig party was by general consent assigned to the Marquis of Rockingham. There were many reasons for this selection, there were some against it. Lord Rockingham was a safe, but not an effective party leader. He was timid, scrupulous, and ineloquent. He was not a favourite with the people; he rarely addressed Parliament. A nervous susceptibility — the result of infirm health — made him, on all ordinary occasions, appear feeble and unequal to his prominent position. He could not, like Pitt, arouse or control the passions of an audience; still less could he, like Newcastle, tempt or tamper with the jealousy or cupidity of individuals. His relations to the King were unfortunate. He inspired the royal mind with neither awe nor affection. The King believed Lord Rockingham to be infirm of purpose, because he was often hesitating in manner. Lord Rockingham long deluded himself with the notion that the King would be himself ingenuous, if he could once be separated from his evil advisers. They respectively misunderstood each other, but the subject's delusion was the more brief. On the other hand, the reasons for placing Lord Rockingham at the head of the Whig party were many and valid. He possessed a calm intrepid mind, and a clear understanding; he was a purist in principle, in an age of almost universal corruption. His theory of government was severely constitutional, turning neither to the right hand nor to the left from the original doctrines of the Act of Settlement. His bearing and predilections were, indeed, aristocratical, but they would have adorned 'the most high and palmy state' of Venice or Rome.

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The 'Chatham Correspondence' is by no means a readable book, yet there are passages in it to which it is pleasant to turn. They are the letters in which Pitt drops for the time his generally stiff and stilted language, and writes with the genuine simplicity of a husband or father. If Lord Rockingham did not possess 'troops of friends,' he was at least remarkably fortunate in the attachments which he inspired and retained. To have been a common centre of attraction and affection to such men as Sir George Savile, Attorney-General Lee, Burke, and Fox implies no ordinary worth in the object of those sentiments. The fidelity of his adherents was independent of the ties of faction or interest. To the Whigs, during the greater portion of George III.'s reign, faith to their leaders was a virtual resignation of emoluments and honours. Pitt and his brothers-in-law, we have seen, were frequently at variance. The Duke of Bedford was neither happy nor discriminating in his friendships. 'His relations,' Lord Albemarle remarks, 'were Tories, and his 'companions profligates; and the prejudices and excesses of his 'own circle re-acted upon his own estimation in the world.' The 'Rockingham Whigs' alone, amid all the party divisions of the age, presented the agreeable spectacle of a band of statesmen united in principles, and mutually respecting one another for private as well as public virtues. This, indeed, was the secret of their strength in opposition—for the eloquence even of Burke would not alone have cemented it,—and of their success in power, as far as they were permitted to succeed. They had warm feelings; they had legitimate aims; they could indulge in the luxury of self-respect, — a luxury which no other section of either Whigs or Tories could then decently claim, — and in their common affection for their chief they enjoyed a peculiar and inestimable privilege as public men. Nor, although thwarted by many who should have supported them, assailed by a powerful opposition, betrayed and undermined by the King and his friends, were the Rockingham Whigs unsuccessful as a Cabinet. By no one Ministry between the epoch of the Revolution and that of the Reform Bill were so many immunities gained for the people, or, strictly speaking, so many breaches repaired in the Constitution, as by that which Charles Townsend contemptuously called the 'Lute-'string Administration.' The character of the leader was reflected in that of his followers. A brilliant staff gradually formed itself around the most constitutional minister of the age, and Burke's genius was matured and Fox's eloquence was disciplined in the congenial society of Keppel, Portland, Montagu, and Cavendish.

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Had Lord Rockingham, indeed, conferred no other boon on his party than his early recognition of Burke's genius, he would have deserved well both of his adherents and his country. We are not insensible to the imperfections of this great man. We deplore the prejudices which latterly dimmed his intellectual vision, and the heat and haste which severed him from the friends and colleagues of his better days. But, after every abatement has been made, it is impossible to deny to Burke the praise of having contributed, both by his speeches and his writings, beyond any man of his time, to the re-construction and elevation of Whig principles, or, rather, of those principles which, from the year 1640 to the present time, have progressively secured or extended the liberties of the English nation. And this he effected, not so much by parliamentary eloquence—for as a debater he was far inferior to Fox—as by his constant appeal to broad and general principles in politics, by his applying the universal laws of philosophy to the partial truths of the question and the hour. There have been few such striking successions in the realm of eloquence as the contemporaneous rise and decline of Burke and Chatham. Marcus Cicero had listened to the fervent declamations of Sulpicius and Cotta, and to the last orations of Crassus and Antonius; and ancient men may have kindled the boyish ardour of Demosthenes, by reciting, as they watched the exercises of the Athenian youth in the gymnasia, portions of the harangues of Pericles. But neither the Attic nor the Roman orator actually met their great precursors in the arena of debate, while Burke, both on the Treasury and Opposition Benches, was a frequent auditor of the old man eloquent, who had carried dismay into the heart of Walpole, and 'fulmined' by the side of Pulteney and Carteret. Their respective powers were, indeed, as dissimilar as the fashion of their garments or the character of their eloquence. 'Chatham,' as Lord Albemarle remarks, 'was at once the Cicero and the Roscius of his age, a great orator, and a consummate actor.' His gestures, his tones, his crutch, and the flannels which swathed his limbs, were, as he employed them, so many stage properties. He neither dealt nor delighted in general maxims, or far-reaching principles. His 'burning words' involved no recondite truths; he has bequeathed little or nothing to the 'practique or théorique' of politics. His mission was to confute or convince, to rouse or to soothe the passions of the moment. He was a burning and a shining light for the hour, but not, like Burke, a perpetual beacon for all ages. Chatham's speeches would have been applauded by the 'men of Athens;'

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Burke's discourses would have furnished new meditations to Bacon and Macchiavelli.*

The name of William Pitt occurs frequently in the 'Rockingham Memoirs,' but rather as a *nominis umbra*, than as that of the Great Commoner who, in the preceding reign, had raised his country from almost unexampled depression to rarely surpassed glory. To minds of a certain order prosperity is more dangerous than adversity.

> 'For some by Fortune's favours are undone;
> They bore the wind who cannot bear the sun,
> But melt, and into baser metal run.'

Had Pitt either died or quitted the political helm at the

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* Burke's correspondence shows how deeply his mind, (however vehement, yet at once more philosophical and more practical,) had been estranged by the unaccountable eccentricities of Lord Chatham. He somewhere describes him, as lying on his back talking fustian. Two letters, published by Lord Albemarle, throw some light on their differences. The first was written to Lord Rockingham in Christmas week, 1774.

'One cannot help feeling for the unhappy situation in which we stand from our unhappy divisions. Lord Chatham shows a disposition to come near you, but with those resources (?), which he never fails to have as long as he thinks that the closet door stands ajar to receive him. The least peep into that closet intoxicates him, and will to the end of his life. However, as he is and must be looked to by those that are within and those that are without, it would not be amiss to find out how he proposes to act, and, if possible, to fall in with him in Parliament (on the subject of America), though you may never come to an understanding with him in other politics.' (Vol. ii. p. 260.)

The other letter is a memorandum in Burke's own hand, and dated July 13. 1792, on the back of an old letter from Chatham to Lord Rockingham, in which Burke's 'Thoughts on the Present Discontents,' though it had undergone the scrutiny of the leaders of the party before it went to press, is slightingly noticed, as having done much hurt to the cause.

'Looking over poor Lord Rockingham's papers, I find this letter from a man wholly unlike him. It concerns my pamphlet (The Cause of the Discontents). I remember to have seen this knavish letter at the time. The pamphlet is itself, by anticipation, an answer to that grand artificer of fraud. *He* would not like it. It is pleasant to hear him talk of *the great extensive public*, who never conversed but with a parcel of low toad eaters. Alas! alas! how different the *real* from the ostensible public man! Must all this theatrical stuffing and raised heels be necessary for the character of a great man? EDMUND BURKE. Oh! but this does not derogate from his great splendid side. God forbid! E. B.'

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decease of George II., he would have shone in English annals with almost the ideal splendour of one of Plutarch's heroes. He had, indeed, committed great faults, for he had cherished in his countrymen a passion for war, and a recklessness of economy. But his faults were those of an ardent temperament, and he had compensated for them by essential services to the people who so loved and honoured him, and whose reputation he held in his heart of hearts. He had made England renowned abroad, and enterprising, if not prosperous, at home. His eloquence had vanquished the reluctance of the King, and lulled the fury of parties. In an age of signal corruption he had exhibited perfect cleanness of hands. He had poured into the national mind streams of ennobling thoughts, and the fear of him and the dread of him had penetrated the hearts of foreign cabinets and kings. But from the commencement, and with few intervals of a better mood, nearly to the close of the period now under reviewal, Pitt appears, although not altogether fallen from his high estate, yet comparatively weak, irresolute, factious, and self-seeking. The great Whig connexion, which he had mainly reorganised after Walpole's retirement, was, through his caprice or obstinacy principally, again broken up. In the cabinet he was jealous, imperious, and ineffective, in the royal closet servile, and in opposition a hazardous and impracticable pilot. Little remained of his earlier greatness beyond integrity, uncertain flashes of eloquence, and his genuine and touching domestic virtues. To Pitt's lofty mind the policy of the King's friends was repulsive and degrading; the conduct of his brothers-in-law was a perpetual mortification. He protested against the prosecution of Wilkes; he deplored their doctrines of parliamentary absolutism, and he abominated their demeanour to the American colonies. Both publicly and privately he lamented the selfish intrigues of the Bedford section of the Whigs, and extolled the integrity and the intentions of Lord Rockingham and his followers. Yet, by sowing or fostering divisions among the Whigs generally, he directly forwarded the intrigues of the King's friends; he lent himself to the plots of his brothers-in-law; he enabled the Bedford party to supplant for a while the Rockingham party, and he undermined or thwarted the counsels of the only political section in Great Britain which, by his own admission, was both able and honest enough to conduct the affairs of the nation. History affords few sadder or more memorable examples of a great mind surviving its proper energies, and marring with envious clouds the evening of a brilliant noon. His place in the Walhalla of Statesmen should have been between the

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images of Oxenstiern and De Witt. But the pedestal is uninscribed. Manly consistency was wanting.

In 1765 the Grenville Administration could go on no longer. The crazy union with the Bedford party did not succeed. They had failed in cajoling Newcastle, and in conciliating Pitt. They had become intolerable to the King. They had irritated Lord Bute; and had denied place and countenance to the King's friends. They had embroiled England with her American Colonies. Their quarrel with Wilkes had made the name of Privilege obnoxious to the people at large: so that their persons were not safe in London, the yells of an infuriated mob greeted them in the streets, and paving-stones were flung into their carriage windows. Grub Street and the caricaturists grew fat upon the unpopularity of George Grenville. On the 6th of May the King began to make indirect overtures to the Whig leaders: on the 18th he announced to his Secretary of State that he purposed a change of administration. The vacant Premiership was offered at first to Pitt, but Lord Temple would not allow him to accept it on any practicable terms — and afterwards to Lord Lyttelton, but he would not desert the Pitt and Temple section. At length, after much heart-burning and recrimination between the King and his nominal advisers, the leaders of the Whigs met at Newcastle House on the 30th of June; and it was decided, by a majority of twelve to six, that a new Ministry should be formed, over which the Marquis of Rockingham was unanimously chosen to preside. Conway led the House of Commons, and was Secretary of State with the Duke of Grafton for his colleague. The Duke of Newcastle was Privy Seal, and Dowdeswell, Chancellor of the Exchequer. All these and others are, more or less, 'known to fame.' Not so one of the most estimable men of the time and of the party, whose portraiture we shall therefore borrow from Lord Albemarle's gallery.

'The Premier's friend, Sir George Savile, was invited to take part in the Rockingham Administration. But with his habitual delicacy and candour he declined the offer, alleging that, as an independent member of Parliament, he could better assert his privileges and serve his friends. Faction has spared the name of Savile: contemporaries are unanimous in representing him as in the highest degree generous, benevolent, disinterested, and unostentatious—high commendations in an age when mere negative virtues were rare, and statesmen imitated the maxims rather than the practice of Sir Robert Walpole. In person Savile was somewhat above the middle size; his figure was slender, his complexion adust, his constitution delicate; his address was easy and almost bordering upon negligence. As an orator he possessed great facility of utterance, and was simple even to austerity

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in the choice of his words. In debate he was clear, sensible, and persuasive. A peculiar radiance spread over his features whenever philanthropy was the theme of his discourse. Indeed, the general belief in the honesty and benevolence of his intentions produced such an impression in favour of his arguments, that "Truth came mended "from his tongue." His habits of thinking were very original. "He "had a head," Walpole remarks, "as acutely argumentative as if it "had been made by a German logician for a model." He was also a shrewd observer of contemporary statesmen. He predicted early the future greatness of Charles Fox. When that statesman was scarcely a man, he praised him for his readiness in finding out *blots*—his celerity in hitting the bird's-eye of an argument, and his general talents for opposition. "Hence," said Savile, "others may have more "stock, but Fox has more ready money about him than any of his "party."

'Toleration in matters of religion is a doctrine of comparatively recent growth. It was imperfectly understood by the Whigs of the last century, who combined the ideas of Protestantism and the Hanoverian succession. It was utterly unknown to their opponents, who recognised the Church of England as the sole Church of Christ. But Savile was an honourable exception to both these extremes. He advocated the claims of the Roman Catholics, and his advocacy exposed him to the fury of the Church and King Mobs of the year '80; and yet even while his house was assailed and frequent attempts were made to set it on fire, he spoke of the incendiaries with compassion, and ascribed the zeal of the multitude rather to their ignorance than to their evil passions,—rather to their being led by blind guides than to the spontaneous aberration of their own feelings.'

The Cabinet which embodies a section only of a party labours under the twofold disadvantage of direct opposition and 'half-'faced fellowship.' But this was by no means the only or the most serious difficulty which awaited the Rockingham Ministry. Its chief was both ineloquent and constitutionally timid in debate. It had some tolerable speakers, like Conway, but no consummate orator—for Burke had not a seat in the Cabinet. It suffered, ere it was many weeks old, a fatal blow in the death of the Duke of Cumberland, who had some influence with the Bedford party, and who could at times remonstrate successfully with his royal nephew. Pitt and Temple were discontented and supercilious allies: they tolerated Lord Rockingham as Mrs. Candour tolerated her female friends, hinting at their supposed foibles and liberally expressing their own dislikes. Lord Bute stalked moodily in the background: he was the spectre at every ministerial banquet, and his whispers were supposed, not without grave reasons for the belief, still to reach the royal ear. In scattering unfavourable rumours the 'King's friends' were as

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active and adroit as Fame herself: while in the Household there was more than one ally who infinitely preferred Plato to truth —the King's understood pleasure to the King's public professions. But the most formidable antagonist of the Rockingham Ministry was the King himself. The Gazette which announced that His Majesty had been *pleased* to appoint Charles Watson Wentworth, &c. &c., his First Lord of the Treasury, assumed an almost poetic licence of fiction. It was read with a smile by all who knew — and there were few who did not know — how distasteful that appointment was to the King. From his youth upwards he had been trained in distrust of the Whigs as a body; he was now compelled to throw open his closet to the very zealots of the Whig sanhedrim. He had been taught to believe himself the heir of peculiar prerogatives, and he was surrounded by men who saw in him only the Chief Magistrate of the Commonwealth. He had mounted the throne with a fixed intention to burst the bonds and cast away the cords of the Whig connexion, and its Heads of Houses were once more in his Council-chamber and beside his table and his bed. He felt like a gamester who had lost his stake, or like a refractory ward who has been suddenly removed from the indulgences of home to the unpalatable discipline of school. Nor was his mortification softened by the character of his new Premier. He had not even the satisfaction of a decent discontent. Newcastle he might despise — and he would not have been singular in his contempt. Grenville he had some excuse for hating, for the ex-secretary had been systematically rough with his sovereign. Lord Holland's great abilities were tarnished by at least equal corruption; and the subservience of Pitt evaporated the moment he quitted the closet. But Lord Rockingham was provokingly invulnerable. He was courteous and honest: he was respectful and firm. He used great plainness of speech, and he was inaccessible to fear or favour. He was no proficient in the arts in which His Majesty excelled. His yea was yea, and his nay was nay. For the first time in his life probably George the Third was confronted with a minister who set candidly before him his proper functions, his official duties, the time's abuse and its remedies, and who met his vision of a Patriot King by the waking reality of a Constitutional Monarch. Had Lord Rockingham found a willing auditor in His Majesty, the world would probably have wanted one at least of Junius's Letters. But though 'far ex-'ceeding' all other statesmen in the art of drawing 'together 'without the seduction of self-interest the concurrence and co-'operation of various dispositions and abilities of men, whom he

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'assimilated to his character and associated in his labours,' he failed altogether in his intercourse with his sovereign.

The royal sufferings were not, however, very protracted. The first Rockingham Administration just survived one anniversary: but it remained in office long enough to pass some essential measures, and to attract the notice of the country in general to this section of the Whig phalanx. Sixteen years later it was called again to the helm in a darker hour, when it had become impossible to re-adjust the state-vessel without sacrificing a third of its cargo.

The new Ministry began their voyage with a dark cloud on the western horizon. George Grenville had bequeathed to them all the consequences of his project for drawing a revenue from America by means of a duty upon stamps. The storm had burst across the Atlantic before the first meeting of Parliament in the year 1766. On hearing that it had received the royal assent, the townsmen of New York reprinted the Stamp Act and hawked it about the streets as 'England's folly and Ame-'rica's ruin.' At Philadelphia the guns were spiked. At Boston the flags of the vessels in harbour were hoisted half-mast high, while muffled bells tolled a funeral knell. The spirit of Pym and St. John seemed to have migrated into the American Houses of Assembly: and in the Virginian Congress Patrick Henry vented his indignation in terms in which truth and treason struggled for the mastery. In the Speech from the Throne, on the 17th of December, 1765, a decent veil was thrown over these dismal tidings. His Majesty announced to both Houses that he had called them together sooner than usual in consequence 'of matters of importance which had lately 'occurred in some of his colonies in America.'

We shall not, however, repeat an oft-told tale — and one too which has recently been once again narrated by so accomplished a writer as Mr. Bancroft. Every tiro in history knows that the first Rockingham Administration repealed the Stamp Act, and that the King never forgave them for thus delaying a few years longer the dismemberment of the British Empire. With the documents before us which Lord Albemarle has brought to light, it will be more interesting to trace the causes which constantly enfeebled and finally undermined the Cabinet formed in the autumn of 1765.

It was not likely that the Rockingham Administration would last long. It was equally improbable that its parliamentary course would run smooth. It was not sustained by eloquence. Its chief was firm, but not strenuous. The hour demanded an Achilles rather than a Nestor, and Lord Rockingham could

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seldom be relied on to give vigour to debate. The public generally had not recovered from the apathy which, during the last five years of the preceding reign, had numbed its political ardour; it had not yet learned by experience to distrust its youthful sovereign; nor did it yet discriminate between the relative merits either of the Whig leaders or of their several sections. Pitt's coldness, and Temple's busy and acrid host of pamphleteers, equally damaged the Rockingham Cabinet. But the King himself was, as we have already observed, their chief antagonist. He could not be expected to regard with an eye of favour Ministers to whom his embarrassments alone had compelled him to resort. Indeed, of the various political connexions of the time no one was so distasteful to the Sovereign as that to which he had now consigned the government. 'They were,' as Lord Albemarle remarks, 'at once too 'wealthy, too indifferent to office, too much actuated by public 'principles, too closely bound together by party ties, to yield 'to the King, or to suit the views of a Court that required 'Ministers to be, not the public servants of the State, but the 'private domestics of the Sovereign.' In allusion to the Rockingham party, His Majesty had indeed two years previously declared that 'he would never suffer those Ministers of the late 'reign, who had attempted to enslave him, to come into his 'service while he held the sceptre.' He accordingly regarded, as both his acts and demeanour plainly proved, his new Cabinet as a mere temporary refuge from the Grenvilles. Lord Rockingham and his followers were civil to His Majesty. That was some relief: and in the meanwhile they might be divided, undermined, and, at some lucky moment, ousted.

These at least are the conclusions which we draw from the documents published for the first time by Lord Albemarle. The repeal of the Stamp Act was the principal business of the Session, and it was as 'bitter as coloquintida' to the royal palate, or as the signature of the Petition of Right had been to Charles I. So early in the Session as the 3rd of January, the Earl of Hardwicke wrote to his brother, Charles Yorke, 'The King's family 'and household are divided. I wish His Majesty himself is 'not *neuter*.' And he adds, 'Lord B. will overturn every 'Ministry who does not court him.' The *neutrality* of the King may be inferred from the following 'three papers in the 'King's handwriting,' and from the accompanying anecdote reported, although not quite correctly in all the details, by Walpole and Belsham.

'I. That Lord Rockingham was on Friday (February 8. 1766)

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allowed by His Majesty to say, that His Majesty was for the repeal. The conversation having only been for that or enforcing.

'II. Lord Rockingham's question was, whether he was for enforcing the Stamp Act, or for the repeal. The King was clear, that repeal was preferable to enforcing, and permitted Lord Rockingham to declare that as his opinion.

'III. Lord Rockingham, I desire you would tell Lord Strange that I am now, and have been heretofore, for modification: but that when many were for enforcing, I was then for a repeal of the Stamp Act.'

From these memoranda it would seem as if the Minister had determined not to quit the royal presence until he had secured 'the word of a King.' But only ten days after these notes were penned, 'Lord Strange, one of the placemen who opposed 'the repeal of the Stamp Act, having occasion to go into the 'King, on some affair of his office, the Duchy of Lancaster, the 'King said he heard it was reported in the world that he (the 'King) was for the repeal of that Act. Lord Strange replied, 'that idea did not only prevail, but that His Majesty's Ministers 'did all that lay in their power to encourage that belief; and 'that their great majority (on the 7th February) had been entirely owing to their having made use of His Majesty's name. 'Lord Strange no sooner left the closet than he made full use of 'the authority he had received, and trumpeted all over the town 'the conversation he had had with the King.'

If this be not sufficient evidence of insincerity on the King's part — and it would be easy to multiply examples from the volumes before us — we know not how to define duplicity 'in 'high places.' Unfortunately for the nation His Majesty was not alone in his political obliquity. The moral code of the Bedford party was deplorably lax: Rigby and Sandwich were statesmen worthy of the school of the Regent Orleans and the Cardinal Dubois; and among the 'King's friends,' Talbot, Boscawen, Strange, and Dyson, were the Rosencrantzes, Osrics, and Guildensterns of the English Court. We extract Lord Albemarle's graphic sketch of the last-named of these worthies:—

'Among the most active opponents of the repeal of the Stamp Act was Mr. Jeremiah Dyson, member for Great Yarmouth, and one of the Lords of Trade. He was one of those parasitical persons who serve governments a little and disgrace them much. He was by birth a tailor, by education a Dissenter, and, from interest or vanity, in his earlier years, a republican. But he was not a person whose conscience at any time stood in the way of preferment, and his republicanism speedily yielded to more profitable investments in politics. He was a quick shrewd man, with a cool head and a prompt tongue, and an atrabilious temperament, that made him impatient of repose

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and obscurity. He entered Parliament with a character for holding anti-monarchical opinions, although he was at the time "secretly "sold to Lord Bute." For some time he was supposed to be a stanch supporter of George Grenville, but when the Grenvillian horizon became overcast, Jeremiah tacked to windward. Shortly after this desertion, having assumed a *bag* instead of a *tye*-wig, Lord Gower aptly remarked, "It was because no *tie* would hold him." Whatever party he espoused, Dyson's habits of business, skill in parliamentary forms, specious demeanour and general courtesy, rendered him a serviceable adjunct; nor, though he possessed neither fancy nor eloquence, was he by any means contemptible as a speaker and pamphleteer. But the best of his good gifts was his accommodating conscience. He was a ready-made "king's friend," even before he attracted the royal notice. George the Third was not a King John, nor was Dyson a Hubert. But he was not the less an apt instrument in the hands of a sovereign who sought to govern a kingdom as an attorney manages an election, by the influence of partisans and the division of opponents. He had risen rapidly in the favour of Lord Bute. For several years he was principal clerk in the House of Commons. He became afterwards First Secretary of the Treasury, and eventually Cofferer of the Household. In 1766 Lord Bute's royal pupil became political sponsor for Jeremiah's good behaviour as a member of the Rockingham Ministry. Reluctantly did the Premier accept his services; much he laboured to cashier him. But the King knew his worth too well. His Majesty preferred getting rid of Lord Rockingham to dismissing Jeremiah.'

On the 18th of March, 1766, the repeal of the Stamp Act received the royal assent. It had been the subject of warm and acrimonious debates both in the Lords and Commons; but the issue of those debates was 'an event,' in the language of Burke, 'which caused more universal joy throughout the British domi-'nions than perhaps any other that can be remembered.' The repeal was celebrated with more than ordinary civic magnificence at Drapers' Hall, on the 23d of April; and the chronicles of the day duly record that nine Dukes were among the guests. On the previous day Lord Rockingham and his friends had inflicted another wound on the policy of George Grenville. They moved, in the House of Commons, a series of resolutions, declaring the illegality of general warrants. Their ministerial hours, they well knew, were numbered, and they devoted the remainder of their brief political existence to repair the breaches which their predecessors had made in the constitution. Grenville, indeed, outbid them, for popularity's sake, by moving to bring in a Bill, substituting immediate abolition; and Pitt, with strange inconsistency, 'being in an angry mood,' seconded Grenville's motion. Under the circumstances, he could scarcely have more effectually displayed his hostility.

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These resolutions were Lord Rockingham's last official act of any importance. Weak within, beleaguered without, and undermined on all sides by the royal sappers and miners, the first Rockingham Administration was, by this time, in extremities. Ominous conferences had taken place between the King's confidential friend, Lord Northington, and Mr. Pitt's confidential friends, Lord Camden and the Duke of Grafton. After a visit to Hayes, the Duke of Grafton took occasion to remark, in the House of Lords, that the Government wanted 'authority, dignity, 'and extension,' and significantly added, that 'if Mr. Pitt would 'give his assistance, he should with pleasure take up the spade, 'and dig in the trenches.' He followed up this hint by resigning on the 14th of May his seals as Secretary of State. They were declined by Lord Hardwicke, and accepted by the Duke of Richmond. Other desertions followed: the Chancellor resigned in dudgeon; and after a vain attempt to form a coalition with the Bedfords, Mr. Pitt was sent for by the King, and Lord Rockingham tendered his resignation.

His retirement was not without its consolations. We pass over the valediction which Burke pronounced upon the Rockingham Ministry, because it is probably familiar to most of our readers. But the voice of the orator was not the only one raised in grateful acclamation. Before Lord Rockingham set out from London to his seat in Yorkshire, a deputation from the London merchants connected with the North American trade waited upon him with an Address, in which they expressed their sense of the essential benefits conferred by himself and his late colleagues upon the civil and commercial interests of these kingdoms. With adroit, yet just delicacy, the address stated that, 'his Lordship being no 'longer in a public station, his admirers were exempt even from 'the suspicion of flattery.' On his entry into York, he was attended by nearly two hundred gentlemen; and on the next day an address was presented to him by the magistrates and merchants of Leeds. The example was followed by the towns of York, Halifax, Kingston, Hull, and Wakefield; and the 'Memoirs' abundantly prove that he received, at this time, frequent and full approbation from some of the noblest and wisest men in the nation. Lord Chatham's peerage 'looked 'dim and pale' beside these popular honours of the retired Minister.

We do not propose to enter minutely upon the unsettled and disastrous interval between the first and second Rockingham Administrations. In that period of sixteen years (1766—1782) the dissensions with America were fanned into an inextinguishable blaze by the alternate violence and apathy of the Govern-

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ment. Of these Lord Rockingham and his friends were guiltless. 'On the occasion of the address in 1766, which pledged both 'Houses to stand by His Majesty at the hazard of their lives 'and properties, Lord Rockingham declared in the Lords that 'he would hazard neither life nor fortune in such a cause.' The quarrel with Wilkes burst forth with renewed fury, and was prosecuted with equal virulence by those who assailed and by those who defended him. A Saturninus or Glaucia was once more evoked by the lawless folly of a senate and its chief magistrate. Lord Chatham accepted and resigned office with equal petulancy, and afforded one more example to the historian of the wide difference between a great orator and a great statesman. Amid the dislocation of parties and the shameless intrigues of their leaders, the pen of Junius revelled in its bitter triumphs over the faults or the foibles of his contemporaries; and we must resort to the era of the Cabal for a parallel to the melancholy selfishness which successively disgraced the cabinets of Chatham, the Duke of Grafton, and Lord North. The King had indeed attained one of his darling objects — he had effectually sown divisions in the heart of the Whig connexion. But his victory had been dearly bought: it had rendered him nearly friendless, and very unpopular — it had made him the butt of withering invectives; and, finally, it deprived him of millions of his subjects. Uneasy lay the head that wore the now shattered crown; and we could afford him our compassion, had he not wooed disfavour and squandered all the advantages which his youth, his station, and his descent and decorous morals placed within his grasp.

Death in this interim was busy with the Whig leaders: Beckford, George Grenville, and Lord Granby, quitted for ever the fever and the fret of politics; and the 'well-graced actor,' Chatham, received his final 'plaudit' upon an august stage, and surrounded by associations far transcending the pomp and prodigality of theatres. His ancient rival and colleague, Newcastle, also was at rest. Nothing, perhaps, in life, 'became him 'like the leaving of it.' 'He met his death,' says Lord Albemarle, 'with cheerfulness and resignation.' The plotting Machiavellian Earl Temple had retired, after George Grenville's decease, to his stately gardens at Stowe.

Amid so many deaths and frequent desertions, however, the Whig party, in the year 1774, received into its ranks one who was shortly to become its most illustrious champion. Charles James Fox had taken his seat for Midhurst in 1768. He was then scarcely twenty years of age. He soon distinguished himself for his hearty, though somewhat insubordinate zeal in sup-

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port of the Tory questions then in vogue. He was vehement in favour of Lutterell's admission into Parliament, and as strenuously opposed to the 'Nullum Tempus' Bill. The first symptom of his conversion was his joining with the Whigs in their opposition to the Boston Port Bill in 1774; and it appears by a letter from the Duke of Portland in these volumes, that he had been in communication with Lord Rockingham the preceding year. The career of the great logician of the House of Commons does not fall within the compass of the Rockingham Memoirs; but we cannot deny ourselves the pleasure of extracting the following touching reminiscence of Fox, as he appeared in the sere and yellow leaf of his life's autumn. Lord Albemarle, was with a younger brother, a visitor at St. Anne's Hill in the spring of 1806; not long before that attack of illness which a few months later consigned the great statesman to the tomb.

'Mr. Fox, although in excellent health, was even then unable to walk, and was always wheeled about in a chair; indeed I never saw him except in a sitting posture. The dark black hair of the eyebrows, cheeks, and head, which in the early caricatures obtained for him the designation of "Niger," had given place to a silver white. His dress was a light grey single-breasted coat, with large white metal buttons, a thick woollen waistcoat, drab kerseymere breeches, dark worsted stockings, and shoes coming up to the ankles. His first appearance in a morning was at the children's one o'clock dinner, and that meal was no sooner despatched than the Prime Minister and his youthful guests would adjourn to the lawn before the house, and devote the remainder of the evening to trap-ball, Mr. Fox having always the innings, and we boys the bowling and fagging out. My father has often mentioned to his children the boyish eagerness and delight with which Fox used to enter into the games.'

The conduct of Lord Rockingham towards the new Ministry was a return of good for evil. Personally indeed, he felt and expressed some indignation at the coldness and affronts he had met with from their hands. But his anger went no further. For while he urged his friends in general to remain united among themselves, and to wait patiently for better days, he desired such of his followers as the new Premier had not dismissed to continue at their posts. Saunders, Meredith, and Keppel accordingly remained at the Admiralty Board: the Duke of Portland was still Lord Chamberlain; the Earl of Scarborough, Cofferer; the Earl of Besborough, one of the joint Paymasters General; and Lord Monson, Chief Justice in Eyre. In this, as in so many other respects, his moderation exhibited a striking contrast to the conduct of Pitt in 1765. Through Pitt's instigations, the Rockinghams had been then deprived of the support of Earl Shelburne; and when Sir Fletcher Norton was

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dismissed from the Attorney-Generalship, as a bitter and uncompromising foe of the Rockinghams, Pitt ungenerously intimated to Sir Fletcher that 'he was not turned out by *his* advice, and 'that were *he* Minister, he should be glad of the assistance of 'such abilities.'

In 1767, there seemed to be a fair prospect of Lord Rockingham's return to the Treasury, strengthened by the adhesion of the Bedford party. After a year's experience, the Duke of Grafton began to doubt whether, by exchanging Lord Rockingham for Lord Chatham, the Government had really acquired 'authority, dignity, and extension.' His Grace tendered his resignation, and the King directly empowered him to make overtures to Lord Rockingham. But the Duke of Bedford thought that the coalition would be incomplete and unstable without Mr. Grenville, and the King declared that 'he would 'rather see the devil in his closet.' Meanwhile, the Duke of Grafton became reconciled to keeping the Treasury, and His Majesty exulted both in retaining a minister so pliant, and in excluding the Rockinghams. Steps were therefore taken to render the treaty abortive, and to make it appear that Lord Rockingham was the cause of the failure. In this disingenuous plot, the King possessed no more cordial ally than Horace Walpole. The dilettantè archæologist inscribed a copy of Charles's death-warrant with the words *Major Charta*; but the son of the great Whig premier was in practice, if not at heart, a thorough-paced 'King's friend.' It was intolerable to him that a Whig cabinet should flourish without a Walpole at its head.

The Ministry, however, was not strengthened by these tergiversations. The constitutional party,—an appellation which the Whigs began once more to deserve — was gradually awakening to its errors, was casting off its divisions and its supineness, and purifying itself from its more corrupt and embarrassing adherents. It was indeed slowly wise; it had yet much to learn and to forget; and it needed thirteen years' longer probation to regenerate it. Its restoration was forwarded by many concurrent causes. In 1768 Lord Chatham resigned, and after two years of ministerial inefficiency, carried with him into opposition remnants only of his former vigour. Agitation, now that Lord Rockingham's conciliatory policy was abandoned, once again raised its head in America; while, at home, the city of London and the county of York led the way in arousing in the English nation its dormant jealousy of the Crown. Public meetings were held in several counties; petitions against the Government were numerously and eagerly signed: the tone of

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the public prints became more spirited; the country gentlemen recovered from their long apathy; and the towns and especially the sea-ports, whose prosperity was immediately affected by the discontents of the colonies, adopted a bolder and more menacing attitude. Before the close of 1769 the popular element had assumed a new form. Public meetings led to political combinations of a more permanent character. A 'Society for support-'the Bill of Rights' and 'a Constitutional Society' were forth-with established. 'You are not alone,' wrote Cowper to his friend Unwin, about this time, 'in thinking that you see a 'resemblance between the reign of His present Majesty and that 'of Charles I.'

Lord North, in 1770, succeeded the Duke of Grafton as premier. His government was much threatened, but really long-lived. Its moments were often counted, its dissolution was often foretold; but it lingered for nearly twelve years in despite of its unpopularity at home, and latterly, its over-whelming disasters abroad. Its tenacity of official life was in some measure owing to the personal character of its chief. The *vis inertiæ* of Lord North was invincible: his good humour, his ready wit, even his somnolence, blunted the darts of opposition. The thunders of Burke, the invectives of Junius, the angry addresses of county meetings, pamphlets, caricatures, and threats of impeachment, were regarded by him with the serene negligence which the Epicureans of old ascribed to the dwellers on Olympus. Lord North, too, had the sagacity to reduce Wilkes to in-significance by dropping the prosecution of him, and to soothe the City of London by non-interference with electoral privileges.

It must be admitted also that the war with America was at first popular with the country. 'The merchants,' writes Burke, in 1775, 'begin to snuff the cadaverous *haut gout* of lucrative war: 'the freighting business never was so lively, on account of the 'prodigious taking up for transport service; great orders for pro-'visions of all kinds, new clothing for the troops, put life into the 'woollen manufactures.' The country gentlemen were deluded by the ministerial assurance that American taxation would relieve them of part of the land-tax, and the great body of the people were pleased at the prospect of transferring a portion of their burdens to other shoulders. For a time fortune seemed to befriend the royal cause. The British troops forced the passage of the Brandywine, entered Philadelphia in triumph, and drove the Americans from Lake Champlain. But as soon as Burgoyne's surrender at Saratoga, in 1777, had en-couraged the Court of Versailles to espouse openly the cause which it had long secretly supported, the war with America

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became the object of general alarm and abhorrence. It approached our own shores at a time when, owing to the mismanagement of those in power, no officer of distinction would undertake the command of the Channel fleet. Keppel had resigned; and his example was immediately followed by Sir Robert Harland, Sir John Lindsay, and other eminent naval commanders. The fleet was accordingly entrusted to Sir Charles Hardy, whose infirmities unfitted him for the post. In June, 1779, Lord North announced to the House of Commons that the Spanish ambassador had demanded his passports. In the following month the combined fleets of France and Spain entered the Channel. It was rumoured that Gibraltar was blockaded. It was certain that Paul Jones had burnt the shipping at Whitehaven, and towed away the Serapis at the stern of the Ranger. The fact that Lord Sandwich was at the head of the Board of Admiralty did not help to reconcile the English nation to these disgraces. He was already in the worst possible odour as the sharer, and afterwards as the betrayer, of Wilkes's orgies. He was generally believed to have sent Keppel to sea with unsound vessels, and he was now denounced as the cause of Kempenfelt's failure off Brest Harbour. The North Cabinet had provoked an inglorious war: it had burdened the country with fresh taxes in prosecution of it; every wind wafted the tidings of disasters, and every coffee house and public meeting resounded with denunciations of the incompetency of Ministers, and the obstinacy of the King.

At length in 1782, after vainly endeavouring to engage with Lord Shelburne, with Lord Gower, with any one, rather than with the leader and the party of whose honest and wise counsels he had already had experience, the King was compelled to break up the administration of his 'friends,' and recall Lord Rockingham, on his own terms, to the helm of government.

Twice, notwithstanding his pertinacious efforts to fulfil to the letter the maternal precept of 'George be King,' His Majesty had been compelled to have recourse to the same remedy — the intervention of the Rockingham party. The remedy, unpalatable as ever, was adopted with but little better grace, the second time, by the royal patient. But neither His Majesty himself, nor his adherents, abandoned their former tactics. The court-party affected to deplore political combinations. They displayed a sudden zeal for the Constitution, and endeavoured to enlist on their side the fears and prejudices of the people. The promoters of the county-petitions were compared by them to the Irish Volunteers, to the Protestant Association, and the American Congress. Burke, Savile, and Rockingham, they

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denominated the supporters of the Act of Declaration 'on *this* 'side of the water.' The Ministers were represented as themselves hostile to the prerogative, and they were branded as Republicans. The King was described as a prisoner in their hands: they were styled the Regency; and a caricature of the day represented George III. as surrounded by Shelburne, Richmond, Keppel, and Fox, who are putting fetters on his feet and ankles. The King omitted no opportunity of manifesting his aversion for his new servants, or of displaying his impatience under the weight of these ministerial chains.

The royal patience was not put to a very long trial. The health of Lord Rockingham, always feeble, was now irretrievably shattered. He had become Premier, for the second time, on the 27th of March, 1782: he died on the first of the following July. But in that brief period he tranquillised Ireland, and introduced into Parliament 'an effectual plan for economy in all 'the branches of public expenditure.' Particular measures, however, were less important to his country, and his party, than the example he set to the one of constitutional principles, and to the other of political integrity. From this period the great Whig connexion resumed the position which it held sixty years earlier under its great leaders Halifax and Lord Somers. Dark and troublous times indeed were ahead; on the one hand revolution, on the other prodigal and protracted wars. That it was enabled at the close of half-a-century to reassume the helm of government, and to extend the civil and political freedom of millions of the human race, was, in no mean degree, due to its regeneration by the Rockingham Whigs.

On the summit of a well-wooded acclivity in Wentworth Park, there stands a mausoleum erected by the late Earl Fitzwilliam to the memory of his illustrious uncle. Under the centre of the dome there is a full-length effigy of the second Marquis of Rockingham, surrounded by marble busts of the eight men who most especially shared his labours and his friendship. The names of Portland, Montagu, Lee, and Cavendish have descended into the silence which awaits the majority of the human race. The memory of Keppel is prolonged in many affectionate records; while the fame of Fox and Burke is a national possession.

It would be unjust both to Lord Rockingham and Burke to conclude the present notice with any other words than with those which Burke composed for the inscription on the statue of his friend.

'A man worthy to be held in remembrance, because he did not live for himself. His abilities, industry, and influence were employed

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without interruption to the last hour of his life, to give stability to the liberties of his country, security to its landed property, increase to its commerce, independence to its public councils, and concord to its empire. These were his ends. For the attainment of these ends, his policy consisted in sincerity, fidelity, directness, and constancy. His virtues were his arts. In Opposition he respected the principles of Government; in Administration he provided for the liberties of the people. He employed his moments of power in realising every thing which he had proposed in a popular situation—the distinguishing mark of his public conduct. Reserved in profession, sure in performance, he laid the foundation of a solid confidence. . . . . Let his successors, who daily behold this monument, consider, that it was not built to entertain the eye but to instruct the mind. Let them reflect that their conduct will make it their glory or their reproach. Let them feel that similarity of manners, not proximity of blood, gives them an interest in this statue.

'Remember; resemble; persevere.'

ART. VII.—1. *English Agriculture in* 1850 *and* 1851. By JAMES CAIRD, Esq., the 'Times Commissioner.' 8vo. pp. 550: London, 1852.

2. *The Farmer's Tour through the East of England.* By ARTHUR YOUNG. 3 vols. 8vo.: London, 1771.

3. *The Rural Economy of the English Countries.* By Mr. MARSHALL. 8vo. 14 vols.: London, 1787 to 1789.

4. *Ueber Englische Landwirthschaft und deren Anwendung auf andere landwirthschaftliche Verhältnisse, insbesonders Deutschlands.* Von A. Von WECKHERLIN. 8vo. pp. 342: Stuttgard and Tubingen, 1845.

5. *On the Agriculture of Suffolk.* By W. & HUGH RAYNBIRD, including the Report to which the Prize was awarded by the Royal Agricultural Society of England. 8vo. pp. 324: London, 1849.

SIX years ago, in an Article on the State and Prospects of British Agriculture*, we presented our readers with a sketch of the amount of life then visible in the practical farming of different parts of our island—of its eager progress in some neighbourhoods, and of its dulness and stagnation in others. At that time the only detailed accounts we possessed of the condition of British agricultural practice of later date than the era of the Board of Agriculture were contained in a few able reports upon

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* No. clxx., October, 1846.

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certain English counties which had been published in the first eight volumes of the 'Journal of the Royal Agricultural Society.' Nothing like a general view of any large part of England, from the pen of the same observer, had appeared since the days of Young and Marshall, of some of whose works we have prefixed the titles to the present paper. Our outline of 1846 was drawn, therefore, for the most part, from personal observation. It was intended, also, to arrest attention, and awaken inquiry, rather than to satisfy the curious inquirer — being of that general and popular character, which, in treating of so extensive a subject, was alone suitable to our pages. In a rapid tour, from the Pentland Firth to the mouth of the Thames, we showed, first, how vast an amount of active energy was then in operation for the advancement of agriculture in almost every county; and next reversing the picture, what a mass of sluggishness everywhere met the eye, as, one after another, dark, untouched, and unproductive spots in the rural picture passed before us in our hasty survey. The farming interest was at that time in the incipient stage of that transition state which was necessarily consequent on the change in the Corn Laws; but the life and energy we had so frequently witnessed in the course of our tour left upon our minds a durable impression which we then expressed, that this change would act, 'not as a depressing, 'but as a stimulating influence,' upon our practical agriculture as a whole.

And such, we believe, would have been more extensively the case, even than it has proved to be, had the subject, when apparently settled, been allowed fairly to go to rest, and the change to be followed by natural and necessary adjustments. But agitation has been kept up, and hopes of the revival of Protection assiduously encouraged. This state of uncertainty has restrained the energies of the farmer, and deterred him from placing his confidence in improved methods as the only certain means of bettering himself, — while it has withheld the landlord from establishing those new relations with his tenantry which, in many localities, were called for by the new condition of things. In so far as the tenant farmers have been parties to this game, they have been playing against themselves. For, although the country at large has suffered greatly from the prolongation of the crisis, yet, of all the separate classes of the community, the actual cultivators of the soil have suffered most. The immediate effect of the reduction in the price of corn has fallen upon them, while the prolongation of the period of doubt has saved the landlords, as a body, from considering the question, whether they in reality bear a just proportion of the money loss. It will be a further evil to the working farmers,

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should the accession of a new Ministry have the effect of still further extending the period of suspense.

Meanwhile, as a fruit of this transition state, in opinion as well as in practice, there has appeared a series of letters on the agricultural condition of a large proportion of the English counties — thirty-two out of the forty — from the pen of Mr. Caird, a young and enterprising farmer, of the west of Scotland. They were published first in the columns of the 'Times' newspaper—the tour having been made by Mr. Caird as 'Commissioner' to that able journal — and have since been collected into a volume, under the title of 'English Agriculture in 1850 and 1851.'

Such a work, if written impartially, whatever its general or absolute value, must possess a certain worth for comparative purposes from the circumstance, that everything described had been seen by the same eye, and considered by the same mind, in reference to the same ideal standard; and thus, whatever conclusion it might lead us to in regard to the Kingdom as a whole, the impressions it should leave upon us as to the separate counties, ought to be comparatively correct. It detracts from this special value of Mr. Caird's work, however, that he has not interrogated each county upon the same leading topics, so as to afford data for frequent comparison. He has trusted rather to the accidents of his tour to present or suggest what it might be interesting to the public to read, than methodically set himself down to inquire into certain definite points previously arranged and methodised with a view to broad comparisons and final generalisations. Hence, when we have read what are the opinions, feelings, or practices, in regard to this or that important matter in one county, on turning to his letters upon another county, with the view of ascertaining how men's minds are there affected on the same matter, we rarely find it even alluded to. Hence, with the exception of the modes of culture in a rotation, and the tenure of land, the means of frequent comparison are afforded upon very few of the important questions which are suggested to the mind by the two words, 'English Agriculture.'

A letter written to him by the late Sir Robert Peel, which Mr. Caird has published in his 'Preface,' is a suitable introduction to Mr. Caird's own letters, especially as regards the spirit in which he has conducted his inquiries. In this letter we find the following passage: —

'Nothing has hitherto been effectual in awakening the proprietors to a sense of their own interests. I cannot help thinking that a dispassionate and temperate contrast between the productiveness of their

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properties, and that of others in less favoured positions, and the conclusive proof that might be exhibited, that Protection had, in their cases, not stimulated improvement, but had probably been the parent of neglect, might reconcile them to the withdrawal of it, and induce them to look out for more certain aid "in good farming under liberal "covenants."'

The tourists, therefore,—for in the outset Mr. Caird had a colleague,—started professedly with a strong impression against the proprietary; and this, with the feelings natural to the tenant class to which Mr. Caird belongs, he does not hesitate, in many cases, most hotly and effectually to carry out. Still, he does not by any means spare the farmers, as the tingling ears of the Cleveland tenantry can testify, nor always refuse just praise to great landlords of the order to which the Dukes of Portland and Bedford belong. But we have sought in vain for those frequent 'dispassionate and temperate contrasts' to which Sir Robert Peel looked forward, and for which the materials, though often wanting in the book, must have been often within the author's reach.

A higher responsibility has been imposed upon the author also, and a severer criticism provoked, by the frequent comparison he invites between his own observations and writings, and 'the Farmer's Tours' of Arthur Young, which were made and published between 1767 and 1771. The amount of knowledge and grasp of mind which would suffice to describe agriculture *as it is*, would be altogether insufficient to present a lucid picture of its comparative state at two distinct epochs. And the execution of a work like that before us would require still higher accomplishments, for it proposes to take up each of the three broad questions:—what is the present state of English agriculture—what its state now, in comparison with the year 1770—and what its special condition in reference to the peculiar questions which are at this moment most strongly agitating the public mind.

To the tour in which the materials necessary to the discussion of these grave questions were collected, Mr. Caird devoted the first four and last two months of 1850, and the first two months of 1851; in all about eight months. In this period he went over thirty-two of the forty counties of England, an average of about a county a week. But he did not in reality apportion his time in any average manner. In the month of February 1851, for example, he visited Derby, Rutland, Northampton, Bedford, Hertford, Middlesex, Cambridge, and Huntingdon, eight counties in twenty-eight days! And were we disposed to be critical, we might infer that his letters upon these counties, comprising in all

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seventy-two pages, which are dated from the successive places to which they refer, were written during the same month, which would leave a very small portion of time indeed for the personal examination of eight more or less important counties. What confidence can be placed in statistical data collected in so hurried a manner? Will they instruct or will they mislead us? Besides, he was not in the field during the important farming months, between May and October, being required at home probably at this time to look after the business of his own farm. How imperfect an idea would a foreigner have of English husbandry were he to leave it just when the turnip husbandry was beginning, and not to return again till the corn harvest was stacked! We cannot wonder, under these circumstances, that counties like Chester and Devon should be dismissed, each with eight meagre pages of letter press, and Sussex with nine; or that Hertford and Middlesex together should be described in twelve pages, and those of Cambridge and Huntingdon together in as many more. We give these particulars to justify our opinion that an ambitious title has led Mr. Caird astray, and that his book is very far indeed from coming up to the dignity of its name. This is the more unfortunate, as contradictions have been publicly given to some of his most important statements; and the manifest haste with which all was collected, necessarily tends to lessen in the public mind that complete confidence, with which, from our personal knowledge of the author, we believe whatever he states from his own observation is worthy of being received.

Yet, though not attaining to the dignity of its title, or coming up either in design or execution to what a survey of English agriculture — absolute and comparative — ought to be, the work of Mr. Caird is not only worthy of being read, but it is rich in information, richer still in suggestion, and fitted, we believe, to lead to much practical good. We avail ourselves of its appearance, therefore, to lay before our readers in a somewhat familiar manner, a sketch of the actual condition and tendings of English agriculture, in the hope of assisting to clear away from the minds of some of our readers a few of the mists which the controversies of the day have been throwing around the subject, and of reassuring the minds of any of them whose faith in the future and progressive prosperity of English agriculture may have been threatening to give way.

The agriculture of a country may be studied as a whole, and in reference to general causes; or in detail, district by district, and in reference to local peculiarities or specialities of place. The former method presents the broader, more generally inter-

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esting, and more instructive aspects of the subject; and yet few whose minds have not been specially turned to rural inquiry can form a conception of the kind and number of suggestive occurrences, which present themselves even to a hasty traveller through a single agricultural region. It will make our sketch more complete therefore, if we examine our English agriculture after both these methods; — laying before our readers, first, a glimpse of what may be called its *private life in* 1850.

I. We select for this purpose Arthur Young's own county of Suffolk, to which his family belonged, and in which he himself long lived, — where he also farmed from 1762 to 1767. We make this selection the more willingly, because it is one of the counties to which we did not advert in our former Article. And to illustrate at the same time the large amount of information which may be gleaned from the work before us, we shall accompany Mr. Caird in his hasty ride across it. Leaving Cambridge and entering the county from the north-west, we first cross what in Young's day was a district of 'extensive rabbit warrens and 'worthless sheep walks,' but over which at present a profitable cultivation almost everywhere extends. The loose sand of the surface has been enriched and tempered by admixture with the underlying chalk or marl, — a practice already familiar in the beginning of last century, and probably many centuries before. The change we see here is at once most interesting, and recalls to our recollection the numerous improvements which have taken place over all this region since Young ate starveling rabbits and hungry mutton from its poor sands; while we instinctively turn our eyes to the adjoining Norfolk, and picture to ourselves those busy years during which the marling and turnip husbandry and liberal leases of Mr. Coke made rich lands and glad harvests, merry sheep-shearings and wealthy farmers, the rule instead of the exception in his native county. It is remarkable how much has been done to improve the most dissimilar soils in the counties which adjoin the fens, by the simple process of mixing the surface with what lies abundantly beneath it, and at an easily accessible depth. By stiffening the sands in one place with the underlying marl, mellowing the tough clays in another with the subjacent chalk, and consolidating the fen or bog with the rich blue clay or gault on which it rests, many large estates have been added to the fertile land of this wide tract, and far as the eye can reach, the fields in harvest time have been painted with the alternate green and gold of the swelling turnip and the ripening grain.

Advancing to the centre of the county, the beautiful surface culture of its well-known clay lands at once attracts our atten-

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tion. The heavy land of Suffolk is generally in small farms of from 50 to 100, and rarely exceeding 300 acres. It is held for the most part from year to year, and by tenants of small capital; yet the success with which this kind of land has been cultivated has been considered the chief characteristic of Suffolk farming. The fields are indeed beautifully cleaned. The horse-hoe is in constant requisition, and every weed is extirpated. They are divided into ridges or 'stetches' of 8 feet 2 inches in width; and the drills, harrows, double rollers, and other implements, are all made of this width, or of half the width, that the horses may walk in the furrows, so as not to poach the land; and the gateways are made of similar width, to accommodate the implements. All this is very interesting and attractive, and naturally associates with itself the idea of neat, cleanly, and regular habits in the people. It makes us inquire if they may not be of kin with the tillers of heavy land on the banks of the Easternly Rhine, whose cleanly habits make upland Utrecht one of the tidiest cities of Europe.

And this the more that beneath the surface the system is not so perfect. Under drainage in Suffolk, indeed, is of very old date — this is a just boast of the Suffolk farmer. But instead of pipes, tiles, or stones, he sticks to the custom of his fathers, and fills them with bushes.* These last serve over a fourteen years' lease, and hence draining every fourteen or sixteen years is considered a natural recurrence, in the same way as liming has long been in Fife and the Lothians. 'In scarcely any instance has 'the landlord in Suffolk contributed any portion of the outlay 'in drainage!' Of all that has been done, therefore, the tenantry have the merit, and we must not judge them too harshly.

Unburned clay forms the walls of the more modern farm buildings — timber and thatch make up the walls and roofs of those of older date. Unsubstantial and inconvenient, they demand frequent repair, and occasion much waste. But they are erected chiefly at the expense of the tenant, so that here also the blame of unstable and uncostly fixtures is not with him.

You object, perhaps, as you drive along, to the broad hedgerows and frequent timber, and would dress up, straighten, or clear them away. Ah! you would destroy the shelter for the

* Professor Bradley, of Cambridge, in his 'Complete Body of 'Husbandry,' speaks of *hollow ditching* in 1727, as, 'but a late inven-'tion' chiefly practised in Essex. Among other materials for filling them, he recommends *cows' horns*, and old drains are said to have been actually found in Suffolk which were 'filled with bullocks' horns!'

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frequent game, which lends so much liveliness to the prospect —the hares scouring across the undulating fields—the pheasants peeping from the bushy plantations — the startled coveys which have whirred from among our feet. 'So much game must be 'injurious to the tenantry,' you remark. To such a degree is it so, that the farmers in a single parish of this county have subscribed among themselves as much as 200*l.* a year 'to take the 'game from the landlord on lease, and keep it within bounds!' Demoralise the peasantry? True, it does demoralise them. It places the poor labourers, at 7*s.* a week, in unnecessary temptation, and makes them poachers — but the fault still does not lie with the tenantry.

Soot is used by some of us Suffolk farmers as a manure. We think, among other things, that it makes the produce distasteful to the game. Do you see that farm to the left? — it swarms with game, and last year was thrown upon the landlord's hands. He has raised the price of soot in the district this year, by buying it up to protect his crops from his own game! This is the landlord using the farmers' dodge to protect himself against himself. It is much the same as driving his cattle into his neighbour's pasture. A dozen hares are equal to one sheep.

The agents, you think, ought to counsel the landlords better. So they might, if they knew anything of husbandry themselves; but the management of estates is chiefly in the hands 'of soli-'citors and others not practically acquainted with the manage-'ment of landed property.' You cannot wonder, therefore, that the wishes and immediate interest of the landlord should be chiefly consulted by such parties — that 'every kind of com-'petition also should be taken advantage of to increase rents 'beyond a fair valuation,' and that landlords and tenants, in their relations to the land, should hitherto in this county have been considered to have very little in common.

How many of the grievances — we observed at the conclusion of this address — how many of the grievances one hears of as besetting English agriculture appear to be concentrated in this unhappy Suffolk!

But we enter a homestead, and our thoughts are speedily turned into another channel, and float away in another direction. The land is chiefly under the plough*; cattle, therefore, are

* In Arthur Young's time Suffolk possessed large dairy farms, covering a great portion of the country, and on which, of course, many young cattle would be bred. Mr. Caird says nothing of the existence of such farms now, though it has an important bearing on

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seldom kept the year through, being bought in autumn to consume the mangold wurtzel, and convert the straw into manure. This mangold wurtzel is now a favourite root crop. When introduced into the county, by Young, eighty years ago, the tops only were given to the cattle, while the roots were consigned to the dung-heap!

In the straw-yard, fed with roots and oilcake, we see Irish cattle, Short-horns, and polled Scots of different breeds. But compared with the fattening cattle in the breeding districts, how unkindly do the animals look! The reader will forgive us if for a moment we dwell on the interesting revolution in farming with which this inferior quality of the cattle is connected.

We drew the attention of our readers, years ago, to the important influence which steam navigation was already beginning to exercise upon the prosperity of agriculture in our Northern Scottish counties. Weeks of long and weary travelling alone enabled the breeding districts formerly to bring their produce to market. Fattening in those remote regions was out of the question. Worn to the bone, the poor cattle reached the sunnier South, or less rainy East*; and amid the luxuries of a

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the subject raised in the immediately succeeding paragraph of the text. Has Suffolk ceased to produce the celebrated skim-milk cheese, which was so hard that 'pigs grunt at it, dogs bark at it, but neither 'of them dare bite it?'

On consulting the Messrs. Raynbirds' report, we find the large dairies of Young's time have nearly all disappeared, not one-tenth of the number of cows being now kept.

* The extent to which this loss, by driving to market, operated to render feeding in remote districts impossible, will be understood by a single example. Several days used formerly to be occupied in driving to the London market from the county of Norfolk only, and it was found that 'on an average a sheep lost 7 lb. weight, and 3 lb. 'inside fat, and a bullock 28 lb. These weights were ascertained by 'a series of trials, average animals being killed and weighed on the 'farm, and compared with the weights of similar animals when 'slaughtered in London. This difference of weight was waste, 'entirely lost to every body. On the quantity of stock annually sent 'out by Mr. Hudson, of Castle Acre (a distinguished Norfolk farmer), 'this loss was equivalent in value to upwards of 600*l.* a year; nearly 'the whole amount of which now finds its way to the market, as the 'stock are put into the trucks in the morning, and reach London in 'the afternoon without fatigue.' (Caird, p. 169.)

From this case may be imagined how much an animal would lose if driven from greater distances. At the same time it will enable the reader to form an idea both of the annual saving to the nation in the form of flesh meat which our railway system has effected, and of the increased supply of butcher meat which this saving alone has brought into our markets.

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more genial climate and more nutritious food, speedily attained to the swollen and shapeless rotundity so pleasing to a Smithfield eye. But as the steamer by sea, and the locomotive by land, gave a speedier and more facile access to markets, the breeder began to fatten off a portion of his own young stock — thus securing to himself, so far, the profits of both branches of the business. And as by this feeding he obtained more manure, and by its means gained larger returns from his corn land also, he was encouraged, by this third profit, to carry his fattening husbandry further still, and yearly to send fewer lean and a greater number of full-fed beasts to the central markets. In this way it has happened that as every year established steamers in new ports and carried railways into more remote districts of the interior, an increasingly larger proportion of the young stock of the United Kingdom has been reared and fattened in the place of its birth. And as, at the same time, the belief has been more widely extending, that stock-feeding is almost essential to high farming, the demand for lean stock has been constantly on the increase among the non-breeders. In this state of things, it will be readily understood that while the profits of the breeders, and especially of those who both bred and fed, have been kept up, those of the mere winter feeders have been suffering a gradual decline. This is an ordinary and generally intelligible result of a familiar and progressive social change.

But with this plain result a physiological condition has been gradually co-operating to the detriment of the Suffolk and other feeders who depend upon travelled cattle. We question if Arthur Young himself could have anticipated that pure transcendental physiology would ever come to interfere in a serious manner with the rent-paying ability of his farming neighbours. 'Merry and fat,' 'sour and lean,' are a conjunction of epithets which embody the national experience of a connexion between external features and aptness to fatten. Those who live among our domesticated animals, by similar external signs recognise similar corporeal tendencies. The sleepy eye, the tender horn, the silky skin, the soft touch, the docile temper, — every feeder knows the value of such indications to the production of a large increase in the weight of an animal, at a comparatively small expense of time or of vegetable food.

Now when the time arrives for sending his lean stock to market, the breeder first selects the kindliest of all his year's supply to be fattened in his own yards; the remainder he sends to market. At the first market they reach they are weeded a second time of some of their best by the feeding buyers, and the second remainder proceeds further on, probably in the hands

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of a jobber. At market after market they are thus sifted and resifted, the coarsest, sourest, and most restless being the last to sell. And thus it has come about that now only 'the worst 'specimens of each breed find their way into the feeding coun-'ties.' How little does it occur to those who call for parliamentary aid against local difficulties, that the causes from which they necessarily spring are often far beyond the reach of human interposition!

'You see how this affects me,' says the Suffolk farmer; 'those who both breed and fatten can sell cheaper, both because 'they have the two profits, and because they have kindlier ani-'mals to feed, and thus, notwithstanding the increased con-'sumption, butcher's meat has somewhat fallen in price. I begin, 'therefore, with worse animals, which take longer to fatten than 'formerly, and consume more cake and roots, and I have to sell 'them when fat for less money than before. They cost me 'forty shillings a month for keep, and for the last two years 'the increased value of the animals has given me a return of 'only twenty shillings, an apparent loss of six pounds a head.'— 'You expect the manure to repay this in the increased produce 'of corn?'—'I used to expect this, but as the immediate loss 'by feeding has increased, the price of corn has fallen also.'— 'You must have manure for your land, and you feed cattle to 'procure it; but guano, or superphosphate of lime, or rapecake, 'would cost you less; besides, you have straw enough to feed 'off twice the number of cattle, if you put it through a straw 'cutter, instead of treading it down in the yard. Expend part 'of the money in buying guano which you now pay for oilcake 'only, and thus you may grow more roots, feed double the 'stock, make more manure, and reap larger crops from the fields 'you have in corn than you ever did before.'—'You raise a 'wide question, but with us your plan is simply impossible; I 'have not capital to buy in and feed eighty head of cattle 'every winter instead of forty, still less to build feeding houses 'for so great an increase of stock.'—'But your landlord must 'erect the buildings?'—'Sir, you are a stranger in the 'county; my landlord is a poorer man in his station than my-'self in mine. If he is to build houses for me, he must sell 'part of his estate, and even then existing incumbrances would 'have a prior claim on the price he might get for it.'

And thus Mr. Caird is again driven back upon the landlords as the barriers to progress. Instead of turning to 'higher 'farming with more liberal covenants' as a panacea for their evils, he finds the Suffolk tenantry trying rather a retrograde rotation—the old three-course shift so altered that beans and

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clover alternately precede successive crops of wheat and barley (beans, wheat, barley; clover, wheat, barley). This is another device for getting rid of the unprofitable root crop and hard-feeding beasts. It implies of course, in good hands, the purchase of artificial manures, which is something; but in bad hands it may lead to exhaustion and misery: so that our author heartily invokes the aid of an English Incumbered Estates Act to make better plans available.

What will Mr. Pusey say to the Suffolk covenant, which binds the tenant to plough his winter fallows five times, even should the soil be a blowing sand, and the incoming tenant, as an unexhausted improvement (!), to pay the cost of five such ploughings to his predecessor, though one ploughing should be found enough even for root crops, and that one given in the spring? Or Mr. Huxtable, to the practice of selling turnips 'for consumption for 1*l.* to 2*l.* an acre, and sometimes even 'less.' Or the chemical physiologist, to the statement that turnips raised by guano, or other forcing manure, are injurious to breeding ewes, and that where flocks of these are kept, it is usual to raise turnip crops without manure? Or what will *you* say, you knowing ones, who weekly congregate in the Edinburgh corn-market, at the complaint of one of this class of farmers that his crops were *so meagre?* He sowed turnips on a light sandy soil, without manure, and ate them off with breeding ewes, and then complains that his corn crops were meagre! Verily, rural Suffolk, in food for reflection thou art inexhaustible!

But we proceed still eastward, across the region of prevailing heavy land, and we find ourselves on a narrow belt of sandy soil, which skirts the sea-coast of the county. It is a surface of ancient sea-drift — of mingled sand and shells — upon which salt marshes and blowing sand alternate with useful loams, worth from 5*s.* to 28*s.* an acre. Beneath this drift — scattered over a large area, yet sometimes thrown together in valuable accumulations — occur those rolled pebbles of stony phosphate of lime, which, by the aid of chemistry, have recently been turned to so valuable a use in the preparation of artificial manures. So abundant are they found to be in some places that from 60*l.* to 80*l.* has frequently been given for leave to dig over a two-acre field in search of them, while the land at the same time is improved by the process. The cost of collecting and cleaning the nodules is about 5*s.* a ton, and they are delivered on board the vessel for dispatch to London at 35*s.* to 45*s.* a ton. How wonderful that these flinty masses should have remained so long unheeded among the wide-spread gravels

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—how curious that so many generations of toiling farmers should have continued digging in manures among pebbles concealing so much hidden fertility—how interesting to trace the intimate connexion established by the Deity between progress in one line of intellectual advancement and progress in another!

Arthur Young mentions as a 'most uncommon circumstance 'in the husbandry of this county, the use of a manure peculiar 'to them which they call *Crag*, and which undoubtedly en-'riches the soil far more than any marl.' The effect he describes as so great 'that in breaking up the poor heaths they 'have had a succession of fine crops from such parts as they 'have manured with it.' It is in this very shelly deposit—then called Crag by the farmers, and now known among geologists by the same name—that the flinty nodules just mentioned are found. And it is remarkable that both here and at the foot of the chalk hills, among the green sands of Surrey and the adjoining counties—in which nodules rich in phosphate of lime like those we have spoken of abound—numerous ancient marl pits are met with, from which ancient races of cultivators had dug up materials shown by experience to enrich their fields,—centuries perhaps before it was known that they contained phosphate of lime, that phosphate of lime was able to add to the productiveness of the soil, or even that such a substance as phosphate of lime existed.

Our author says nothing of the famous Suffolk horses, which Arthur Young so justly commends for strength and bottom, of whose *punchy* characteristics most people even in our days have heard, and which at the shows of the Royal Agricultural Society have beaten all England six years out of eight*; nor of the Suffolk cows so noted for their milking properties; nor does he particularly speak of the district about Woodford, to which Young gives the high praise of practising in his day 'much better husbandry than any other tract of country with 'which he was acquainted.' But he gives us a couple of pages upon agricultural implements, for the manufacture of which the county is famed. Ransome, Garrett, Smith and May,—these are names which, immortalised in iron, may be seen on every-day tools, wherever British colonisation has carried British husbandry, or the improvers of foreign nations have collected agricultural models for the instruction and imitation of native handicraft. Let us quit the county of Suffolk at the south-east corner by a peep at the tool-house of Messrs. Ransome and May of Ipswich.

Five hundred men constantly employed in the manufacture

* Raynbird, p. 48.

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of agricultural implements at one establishment! All the discoveries of modern mechanical science — all the skill of the most expert English workmen — all the nice adjustment of parts which distinguishes the machine maker or the builder of locomotives — all the improvements in material and the adaptations in strength, hardness, tenacity, and weight to speciality of purpose, which refined experiment and repeated trial have suggested, with all the cheapness which the purchase of materials in the large, or which minute subdivision of labour among the workmen, and a manufacture on the largest scale can introduce — all these conditions and circumstances here combine to produce results at once most creditable to the makers and most economical to the practical cultivator. It is to the pre-existing energy, skill, and business talents of the owners of this and similar establishments, as much at least as to the money prizes they have been able to offer, that the Royal Agricultural Society owes the great success which has uniformly attended that most instructive and popular part of their annual shows, which includes the implements of varied form and excellence of which Scottish as well as English workshops so justly boast.

We have shown something of our peculiarity as a people in our behaviour with regard to agricultural tools. A Devonshire farmer invents a modification of the rotatory churn, in which, by making it revolve in an outer casing of warm water, tempered by the aid of the thermometer, he can at all seasons of the year command the best degree of warmth for separating the butter, and thus finish the process in a time at once brief and uniform. The French minister sees this at the Society of Arts and incloses a description of it to Paris. A model is made somewhat altered and exhibited at the 'Exposition.' A Scotch Director of the Highland Society has a copy made of it, carries it over to Edinburgh, where the scientific principles of its construction are highly lauded, and for the next six months all the Ayrshire amateurs are treating their friends to butter made in ten minutes, and amusing them with the wonders of the *French* churn.

A Yorkshire smith, living in the midst of heavy land, fixes harrow teeth into a long cylindrical axle at uniform distances, and fitting two of these axles together, so that the teeth of the one shall play between those of the other when it is dragged along the land, forms a machine admirably adapted for the tearing of heavy brittle clods asunder. It is known to few and attracts little notice at home; but it gets to Norway. Seen there by an Englishman, it is pronounced, as it is, a thing of first-rate excellence, and under the name of the *Norwegian* harrow it obtains a distinguished place at our future agricultural shows.

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A Scotch Presbyterian minister (what has he to do inventing machines to take away the people's bread?) puts together, in 1826, an adjustment of wheels and scissor blades so working that when pushed along a corn field, at harvest time, it cuts down the grain as if done by hand, and far more cheaply and expeditiously. His brother, a farmer, improves upon and adopts this machine, and for a dozen successive years employs it in reaping his crops. But it, also, is seen by few. The National Society gives the inventor a prize of 50*l.*, but makes little noise about it. Nobody cares to make a fortune by pushing it, and although, in 1834, several were in operation in Forfarshire, few of the supposed wide-awake Scotch farmers thought of adopting it as a saving of labour even when the hardest times had come. But four of the machines were sent to New York from Dundee, the chief place of manufacture. Thoughtful, pushing emigrants, settlers in the North American prairies, where wide flat fields easily covered with waving corn offered speedy fortunes to those who could command hands to reap it, saw, or heard, or read of these machines. The reaper was re-constructed, modified in different ways, as so complicated a machine could not fail to be, and probably for the better, by ingenious mechanists, was brought into successful operation, made by thousands for the farmers beyond the American lakes, and obtained a deservedly high reputation, as a means both of doing work well and of saving labour much. In 1849 we saw it at the great State Show in Western New York; and brought thence to London in 1851, the *American* reaping machine proved the main attraction of the United States department in the Great Exhibition. Implement makers vied with each other in seeking to secure the privilege of manufacturing the patented machine for the English market, thousands of practical men became persuaded of its economical applicability to our English soils and crops, hundreds of machines were bespoken by English cultivators, and all the while no one knew that the original model machine was at the very time quietly cutting its yearly harvest on the farm of Inch Michael in the carse of Gowrie.*

* Hussey's reaper, the first according to the American reports brought out in the Union, has the closest possible resemblance to Bell's mentioned in the text, of which it is 'an imperfect though 'cheap imitation.' McCormack's, which is now contending with Hussey's for the favour of the English farmers, is almost perfectly the same with an older machine invented in 1822 by Mr. Ogle, at Renington, near Alnwick, and of which a drawing and description was published in the Mechanic's Magazine for 1826. The description of either of these machines 'would suit equally well for the other!'

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Ransome's ploughs, of various sorts, are familiar to every frequenter of the Royal Agricultural Society's shows. Yet we were amazed to learn that, 'upwards of 300 varieties of the 'plough are manufactured at these works, each of which is in 'greater or less demand, and the different parts of every one of 'which, by reference to its mark, can at any time be supplied 'by the manufacturer.' We suppose that the Suffolk farmer will be ready to adopt one of the best of these 300 instead of the wooden one-handled ploughs they generally use, as soon as having taken an over-sea voyage, it shall come back to him with a Transatlantic name. The beautiful light carts, made at Ipswich after supposed Scotch models, might with equal advantage replace the cumbrous and heavy farm carts which one sees with surprise on the same finely worked land, side by side with the skilfully constructed drills and horse-hoes. 'It may be,' says our Suffolk friend, 'but the Eastern counties don't think so much 'of the Scotch farming as some of its Southern admirers do. 'We hear too much talk about them, sir — they take too much 'upon them, these Scotch farmers do.' And so Scotch carts must drive on a little farther till they can come back again with a more acceptable name. We do not say that one-horse carts are of Scotch invention — but Suffolk certainly has no merit in regard to them — for Young, in his report on this county, says, 'Waggons are universal in the county, the *modern and greatest* '*of all improvements, one horse carts* or cars, being, generally 'speaking, unknown.' It is still in 1852 as it was in 1770. Has not the peculiar character of the favourite breed of horses something to do with this?

But we cannot leave the workshops of Ipswich without serious after-thoughts as to the gravity of this implement question to the English farmers. For an able consideration of it we refer to a paper by Mr. Pusey, contained in the eleventh volume of the Journal of the Royal Agricultural Society. But one fact we advert to, as not only interesting in itself, and hopeful and encouraging to the farmer, but as eminently instructive also. In the article upon 'British Agriculture'* to which we have already referred, we briefly adverted to the economy of improved implements, and quoted as an illustration the calculation made by Mr. Brown of Markle many years before, as to the saving which would be effected by the general intro-

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For the whole history of reaping machines, see the 'Journal of Agri-'culture and Transactions of the Highland Society of Scotland,' for January 1852.

* Edinburgh Review, October, 1846, p. 449.

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duction of the threshing machine — in his time about as much a novelty as the reaping machine is now. He reckoned the saving in cost of labour at 1*s.* per quarter, or to the country on the whole, at 1,200,000*l.*, and the gain of corn, usually left in the straw when threshed by hand at about as much more. Now compare this prediction with the actual result, as it is stated in the following sentence by Mr. Caird: —

'On the same day on which we saw the steam engine of Mr. Thomas, of Lidlington, in Bedfordshire, with which he is enabled to thresh his wheat crop for a penny a bushel, we found other persons paying four or five times as much (!) for the same operation not so well done by hand. On the two corn crops of a four course rotation, the difference in expense of threshing by hand, and by steam, will amount to 8*s.* an acre, which being saved on half the ploughed land of the farm is equivalent to 4*s.* an acre on the whole of it, and that is equal, in many cases, to a reduction of 20 per cent. in the rent.' (P. 499.)

This statement of actual saving greatly surpasses what were considered the over sanguine anticipations of Mr. Brown. Estimating at 25,000,000 of quarters the produce of England in *white* corn, a saving of 3*d.* on each quarter amounts to 2½ millions sterling — being more than double the estimate of Brown. But much of this still remains to be realised, and unhappily, it is on the poorest lands and among the poorest farmers to whom the saving would be most beneficial, that threshing by hand still prevails. Nevertheless, the great hopefulness of the means of relief to suffering agriculture, which the introduction of new implements presents, is fully established by this illustration.

And now having passed through Ipswich, we have left behind us the county of Suffolk and its rural industry. But the reader who has kept along with us in our hasty ride will acknowledge, we think, the correctness of what we stated in the outset — that an observant agricultural tour, through even a single English county, will thrust upon the attention of the traveller topic after topic, each full of its own peculiar interest, pregnant with materials for thought, calling into requisition his stores of acquired knowledge of every kind, and leading him into the consideration of questions which affect the largest and most vital interests of the State. Geology, chemistry, and physiology — rival systems of husbandry — the state of the law and practice in regard to game — the skill and special fitness of the agents of estates, — the relations between landlords and tenants, and the want of capital among both, — and the introduction of improved implements: all these subjects of knowledge and thought have presented them-

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selves to us in close connexion with the progress of agriculture in the county of Suffolk.

It has not been for the mere purpose of illustrating this fact, however, that we have taken the above glance at the detailed and inner agricultural life of a detached English county. We had in view, also, to present a microcosmic picture of the condition of agriculture in England as a whole. For as to the things which most forcibly arrest the stranger's attention, there is a remarkable sameness throughout all our counties.

Thus we observe everywhere *progress* of the same character, in some things great, in other things small, the special line of improvement varying, as local conditions or the influence of other districts may direct it. Every county has its example farmers, and many can boast of hereditary improvers, whom blood and descent have impelled for generations to love and labour for advancement. Yet we see every where also *backwardness* of the same kind, more or less equal in degree, the most forward in some things showing a laggardness in others, which we should scarcely credit did we not see it before our eyes. Hence it comes that the party opponent of the rural classes can with so great a show of reason rail against them as being specially rude, slow, stationary, or even retrograde in their art, while all the world besides is in a state of rapid advancement. Are you not still rude in your methods? Look at the district of the Fylde in Lancashire, its land, its crops, and its cultivators. Not slow and laggard? What says the naturally favoured county of Northampton, in which, though the average rental since Arthur Young's time is said to have risen from 7*s.* to 30*s.* an acre, 'good farming is still the exception.' Not stationary?—when to the country around Stamford in Rutland the words written by Young eighty years ago still apply,—'it is melancholy to think that such tracts should 'remain in such a comparatively unproductive state.' Not retrograde?—when in the county of Durham 'the system of 'farming practised in 1770, with a yield of sixteen bushels of 'wheat and thirty each of oats and barley, is exactly the common practice of the present day with a yield *rather diminished 'than increased,*' and when generally 'the clay lands of Durham 'and Cleveland, and of the wealds of Surrey, Sussex, and 'Kent are in a state of reduced fertility,' compared with what they were eighty years ago. Such reproaches do laggard spots and people give occasion to be made against the entire rural community.

Then, again, in every county we meet with similar *obstacles* to the extension of improvement:—scarcity of capital on the

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part of landlord or tenant, or both; a mutual want of sympathy among proprietor, farmer, and labourer; an unsatisfactory adjustment of their several relations; a mal-adroit selection of the agents, or middlemen, who form the medium of business intercourse between them;—such obstacles as these occur again and again in various forms in successive counties. We make an exception only of the county of Derby, which, according to Mr. Caird, is a kind of agricultural Elysium, in which 'landlords, tenants, and labourers, seem mutually content.' Alas! it is limited by the boundaries of the county, for in Leicester the tenantry complain that they pay three rents, 'one to the landlord, one to the game, and one to the 'hedges and hedgerow timber which shelter it.' Nor stepping into Northampton do things mend, for there the cry is *bitter* that the game is 'completely eating up the tenant-farmer.' Unhappy and vulgar grumblers, are you wholly insensible to the glory which your county acquires, when it is announced that 'on the 24th of January last (so late!) seven guns killed '430 head of game on the Marquis's estate?'*

And, lastly, the same *anomalies and contradictions* are met with every where. Amid the almost universal grumbling, it seems only natural when one brave yeoman tells us he is leaving his farm because the rent is too high,—but how account for another cheerfully taking his place without any important reduction! We see one man sold out, and another, his neighbour, in apparently similar circumstances, rearing a prosperous family. One is preparing to emigrate because he despairs of any longer making a living in England, while his higher-rented relation finds his yearly balance increase, and is content to remain at home. Evils, and grievances, and dissatisfaction, we see every where, and yet every where among the rural homesteads of England a wonderful amount of real hearth-love and domestic contentment, as well as of apparent material comfort and prosperity. We have often found ourselves saying, in the course of our agricultural tours, 'Surely

* We have said nothing in this Article of the reasonable complaints of the labourer against the tenant, although, while we listen to the outcry of the farmer against the landlord, it is melancholy to read of the farmers of Huntingdon, that they 'are employing less than their 'usual number of people, on account of its having been said last year 'in the House of Commons, that there was no agricultural distress, as 'labourers were every where fully employed; and to prevent such an 'argument being used again, they resolved to send some to the union.' (Caird, p. 472.) Alas for the human nature of the farmers of Huntingdon!

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'the farmers of England and their families possess the art of 'making a small sum of money go further, and of showing 'more for it than any other large class of the community.' And yet the key to many of these anomalies may be in this, that farm-tending, like cotton-manufacturing, is a branch of *business* in which only those who possess a certain special aptness, natural and acquired, can eminently succeed, where so many are jostling each other to obtain the most desirable holdings. Manchester could probably show as great a proportion of failures, of broken-up establishments, and of forced emigrations, in the one business, as the most distressed farming county can in the other.

II. But we leave county farming, and its suggestions, and turn now to our insular agriculture in the large. This, as we have said, presents broader views of the subject, and such as are more generally interesting and instructive to the non-rural reader. It is, besides, in studying our agricultural capabilities as a whole, that we obtain the most clear and satisfactory illustrations of the special character, progress, and stability of our rural interests.

We pass over our position in latitude, our relation to the waters of the gulf stream, and certain other physical conditions by which our summer and winter temperatures are modified, and in a great measure determined. The relation of these conditions to our agricultural capabilities are sufficiently recognised and understood. Their influence, also, is so far common to our own with other neighbouring countries, as not of itself to give any marked special character or tendency to English agriculture, materially to bias its progress, or to interfere with its permanence or stability. It is otherwise, however, with certain other physical conditions, to which we shall briefly allude.

Placed between two seas, one of which communicates uninterruptedly with the wide Atlantic,—the great fountain of our moist winds and rains,—we are naturally subjected to unlike climates in the eastern and western halves of the island. A glance at the rain-map of Europe, contained in 'Johnston's 'Physical Atlas,' will show the line of twenty-five inches of rain entering the island at the mouth of the Clyde, and bending with a double curve, east of Manchester, west of Oxford, round and immediately south of London, to the mouth of the Thames, and into the North Sea eastward of the Suffolk coast. This line separates the island into two natural divisions. East of the line the fall of rain is generally less,—west of it, generally more than twenty-five inches in the year. In the northern counties of Scotland, in Cumberland, in Wales, and in the pen-

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insula of Devon and Cornwall, it averages from thirty to thirty-five inches. This strongly marked diversity in the fall of rain naturally fits these different parts of the island, each to the advantageous prosecution of different forms of husbandry. Hence the east and south have long been subjected to the plough and devoted to the growth of corn, the middle and west to the production of grass and green crops and to stock and dairy husbandry, and the northern to an admixture of both.

Again, the physical conformation of the kingdom has its influence. Another of Johnston's maps — that which exhibits '*the mountains, table-lands, plains, and valleys of the British Isles*,' one of the beautifully executed maps contained in his recently published 'Physical School Atlas,' — shows a large proportion of its surface to be occupied by the high ground of the Welsh mountains, the Cumberland and Cheviot hills, the Pennine chain which separates the eastern from the western regions of rain, the Wolds, and the many smaller ridges of hills which it is needless to name. These high lands belong chiefly to the grass-growing and stock-feeding part of the kingdom, and, being especially adapted to the feeding of sheep, give the growth of wool an important place, as well as a permanent natural position, among our forms of national husbandry.

We have, in a former Number*, discussed at some length the very intimate connexion which exists between geological structure and agricultural capability. Such of our readers, therefore, as are unfamiliar with this subject we refer to that Article; merely quoting here, — as exhibiting a new form in which that relation may be made manifest, and as setting it in an especially practical and generally intelligible light, — the observation of Mr. Caird, that 'in all the *lower rented* counties except 'the three northernmost, *chalk* is the prevailing characteristic, 'and that in the *higher rented* counties, *red sandstone* is the 'principal geological formation.'† It might be difficult to apply this rent test to express in detail the degrees in which the several kinds of rock beneath affect the money values of the soils that rest upon them. That they do so, however, in the marked general way indicated by the high and low rented parts of the island above referred to, must convey to the unscientific reader a lively general impression of the reality of that connexion between scientific geology and practical agriculture, of which, until very recently, so little was understood.

In England, therefore, the prevailing forms of profitable

* No. clxxx. (April, 1849), p. 331.
† Caird, p. 482.

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husbandry, in different districts, are determined by natural laws. The geographical position — the relation to seas and continents — the physical geography of the surface — the geological structure of the rocks — each of these conditions fixes certain points which bear upon profitable rural practice. The industry and skill of the inhabitants, that is to say, will be most economically employed, when they assist the natural tendencies to which these conditions give rise — when they lend the aids of acquired knowledge to fill up the agricultural outline which nature herself has sketched.

The inhabitants! How much, after all, — whatever the character which Deity may have impressed upon dead nature — which physical and other conditions impose upon it—how much, after all, depends upon the character of the man himself. The Celtic nations could never meet the Northman on his own element to drive him from British, Irish, or continental coasts, much less to carry the war across to his Scandinavian home. To this day the same race dread the waters, and 'prefer, under 'all circumstances, a landsman's life.' They linger on remote and barren tracts, on rocky coasts and islands, content to live a pauper and starveling life rather than overcome a constitutional antipathy to the sea. 'They neglect, in a way almost incre-'dible, the rich fisheries on the western coast of Scotland, and 'on the greater part of the coasts of Ireland.'* They have recently disappointed, in this latter country, the hopes and persevering endeavours of the most benevolent, to establish fisheries for their support, even while famine was carrying off the people by shoals. It is the same blood which has long made the Castilian youth averse to the naval service†, and which has, in part, determined the less brilliant success in war of our Gallic neighbours by sea than by land.

It is with agriculture as with service on the ocean — the character of the people is a fixed element as important and operative as the physical and other conditions of the country they possess. It is only where the constitutional tendency of the cultivators concurs—as it appears to do in parts of Switzerland — with the habits of life implied in the form of husbandry for which the country is best adapted, that in any region agriculture can be expected to advance with the progress of knowledge, or to attain to the pitch of excellence of which, in consequence of that advance, it may at successive periods be capable.

* The Danes and Northmen in England, Scotland, and Ireland, p. 107.

† Alison's 'History of Europe,' vol. viii. p. 45.

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These fixed conditions being understood and kept in view, how clearly do they illustrate the *special character* of our English Agriculture, the *stability* of our rural interests, the *kind of progress* which our practical husbandry must naturally follow, and the species of fostering which rural economy ought, at the present crisis, to receive. As to how they influence and determine its special character, we need add little to what we have already incidentally stated. The Kingdom has, in consequence, naturally subdivided itself into the corn-growing, the cattle-rearing, the wool-producing, and the mixed husbandry regions. And where the population of a region has originally been, or by removals has become, such as is constitutionally apt for the work which its special husbandry requires, the progress of which the region was capable has more distinctly kept pace with the general advancement of the country as a whole.

But the light thrown by these conditions on the *stability* of our rural interests deserves a fuller illustration. The natural subdivision, above explained, gives a degree of independence and indestructibility to our agricultural position which mere corn, or cattle, or sugar, or cotton-producing countries can never possess. We have no predominant branch of husbandry which, over-riding all others, so compels them to sympathise with it that all must, of necessity, be depressed or all in great prosperity at the same time. As in the city of Glasgow the subdivision of its wealth, and the direction of its energies to many different departments of manufacturing and mercantile industry, have secured its constantly increasing population from the recurrence of periods of universal depression — so it is with our agricultural community as a whole. Scarcely one-half of our farmers depend for their profits upon the price of corn. Hence the corn growers may be suffering while the rural interest, as a whole, continues to flourish. So the large area which depends upon the rearing of stock may be complaining, while the corn growers are comparatively satisfied and content. Or, of the stock districts, one portion may suffer yearly loss by the fall in butcher's meat — arising from commercial depressions or other causes—while another portion, from the high price of dairy produce, or of wool, caused by Saxon or Australian influences, is prosperous and happy. And then, again, the large region in which a mixed husbandry of corn and cattle prevails, partakes of the prosperity of both the others with little of their adversity. The land being fitted to either culture, is converted from the one husbandry to the other, as varying markets and prudent management suggest. Even our uncertain climate, which is to many only a source of lamentation and regret, in reality aids in

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keeping us in the same stable mediocrity. We recollect well the interest with which, some ten years ago, we traced back the long-kept accounts of a farming proprietor in East Lothian, who, for many successive seasons, had grown about 100 acres each of wheat, barley, and oats—and saw in the annual balance sheets how the seasons and markets, which were specially favourable, now to the one and now to the other of these crops, counterbalanced each other, and left him a steady and somewhat equable yearly profit upon the whole. In a similar happy way is the condition of our agriculture, as a whole, tempered and regulated by the fixed natural adjustments to which our islands are subjected. The diversified character of our agricultural capabilities, arising from these natural conditions, gives a stability to our rural prosperity which only a very rare concurrence of unhappy circumstances can generally disturb. To this, in a great degree, we look for the ability to maintain our position, and permanently to compete in agricultural progress with the other nations of the globe.

And yet this very state of things, upon which our stability and general prosperity as an agricultural people so much depend, singularly enough supplies the materials for constant agitation, and makes it easy at all times to represent the agricultural interest as in a state of suffering or distress. Affected by conditions so numerous and diverse, it is rare to find all branches of rural industry equally prosperous. The same series of years which saw our Lothian friend fairly thriving, and at the end of every season drawing a satisfactory return from his annual labours — the same years witnessed the losses and reasonable complaints of many farmers less favourably situated than himself. One harvest brought disaster upon those who depended on their crops of wheat for the payment of their rents*

* The non-practical reader will understand how great a difference the season may make to the wheat grower, when we mention that the statistical returns collected by the Irish constabulary show the average produce of wheat in Ireland, in 1848, to have been less by ten bushels an acre than in 1847. This, at 5*s.* a bushel, is a difference to the farmer of 3*l.* an acre. Barley and oats are liable to similar variations. And it generally happens also, in our climate, that when the crop is small, the quality also is inferior, and consequently the price less which it brings in the market. The reader ought to be informed, however, that the Irish climate is more uncertain for wheat than that of Great Britain. And we may add, that besides being very uncommon years in Ireland from the failure of the potato, the unusual nature of the duty to the constabulary who collected the information, renders the returns for 1847 more open to doubt. The

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— another was unpropitious to the cultivators of barley soils — while a third threatened ruin to the higher land farmers, whose principal market crop consisted of oats. From one or other of these subdivisions, loud and well-founded complaints might yearly be heard; although, on the whole, the national agricultural account, like the balance-sheet of our friend, showed, May-day after May-day, a satisfactory surplus on the winning side. It is an evil which flows directly from the same elements, which secure, on the whole, a stable prosperity to our national agriculture, that the voice of complaint can rarely ever be wholly hushed in our rural districts; and that it can seldom be difficult for any party or selfish purpose to collect and concentrate from some quarter of the island the united conscientious grumblings of many suffering farmers. With what caution, then, should these complaints be listened to as arguments for any general measures of relief — how carefully should they be sifted and inquired into in connexion with the general views above explained! In the natural, as in the moral providence of God, partial evil is often inseparable from general good.

But the *kind of progress* which our husbandry is likely to make is indicated — is determined, we have said, and may be inferred from the same natural constants. That it should make progress, as a whole, is a consequence of the restless and advancing tendency of the Anglo-Saxon race. The high prices of the war-time, and the growing population since the peace, have stimulated this tendency and have encouraged, by ready markets, both the inclosing of new lands and the more productive cultivation of the old. But the habits of this population influenced not less the *mode* in which this progress took place — the kind of produce which the English farmer was urged, by increasing demands, to raise — in other words, the kind of husbandry he was stimulated to extend.

One of the most affecting of those incidents which Mr. Alison has quoted in illustration of the devoted fidelity of our Sepoy troops in India, is that which, during their homeward march from Tippoo Saib's capital, befell the troops who had been taken prisoners along with General Matthews in 1782, and were delivered by the peace of the following year. During the return march to Madras, Tippoo's officers tried every expedient to induce the Sepoys to forsake the Company's service; yet 'not 'only did they all remain true to their colours, but they swam 'the tanks and rivers by which they were separated from the

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average produce of wheat in Ireland in that year is stated to have been 31½ bushels per imperial acre.

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'officers during the night, bringing them all they could save 'from their little pittance; "for we," said they, "can live on '"any thing, *but you require beef and mutton.*"'* The national habits thus nicely appreciated and delicately ministered to by our Indian fellow subjects, are the same which have been specially influential upon the progress of agriculture in England.

We have seen that one large division of the island is especially adapted to stock farming, and another large division to stock or corn indifferently. Now the habits of the English people especially incline them to the consumption of animal food; and it appears that the middle classes and all above them pay to the farmer about three times as much for animal food raised by him as they do for the corn they buy of him to make their bread.† Thus it is probable that at all periods of our

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* Alisons 'History of Europe,' vol. x. p. 371. Hume mentions an appeal by a British general to his soldiers in the Spanish war grounded on the same national difference of diet. Of the English in India an Asiatic writer might speak as Cæsar did of the Suevi:—'Suevorum 'gens est longe maxima et bellicosissima Germanorum omnium. . . . 'neque multum frumento, sed maximam partem lacte atque pecore 'vivunt.' (De Bello Gallico.) The Suevi lived on the Oder and in the modern Brandenburg.

† In proof of this we may quote the following instances of the proportionate amounts paid for meat, butter, and milk, on the one hand, and for bread on the other; the first two of which are given by Mr. Caird, the rest from our own experience:—

	Meat, butter, and milk.		Bread and flour.
1. In a family of 18, of whom 10 were servants -	$8\frac{1}{2}$	to	1
2. In a large establishment of 646 males, chiefly boys—potatoes being included with meat -	$2\frac{1}{2}$	to	1
3. English family of 4, of whom 2 were servants; bread baked at home - - - -	4	to	1
4. Scotch family of 4, of whom 2 were servants; bread bought at bakers - - -	3	to	1
5. English Poor-law Union House, total cost of provisions per head 1*s.* 10*d.* per week -	$1\frac{1}{3}$	to	1
Including potatoes and peas with meat - -	$1\frac{1}{2}$	to	1
6. English County Jail, (no milk, cheese, or butter used, total cost of provisions per head 1*s.* $5\frac{1}{3}$*d.* per week) - - - - - -	1	to	5
Ditto, including potatoes with meat - -	1	to	$2\frac{2}{3}$

Workhouses and jails, and probably many of the humbler classes, form an exception to the proportion stated in the text. Against barley and other corn consumed in families, we set the crop of wool and the tallow consumed in candles, soap, &c.

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history as a great kingdom, the pecuniary prosperity of English landowners has been dependent quite as much upon the price of animal produce as upon the price of corn. And this proportionate dependence has been constantly increasing with the increasing numbers and wealth of the population, especially since the peace. For at no time since the peace has the market for home-grown corn been beyond the influence of importations from abroad, while during the last ten or fifteen years the supply of foreign grain has almost regulated its price in the English markets. On the other hand, the butcher's meat and dairy produce of foreign countries have interfered but little with the growth of our English fields—so that a sustained encouragement has been long given to stock and dairy husbandry, and a premium held out to the diversion of land from the growth of corn to the raising of cattle, meat, cheese and wool. So great is this premium at the present moment, that while the same amount of corn drawn from the wheat lands of the east country will bring in the market about the same price it did eighty years ago, an amount of dairy produce drawn from the stiff clays of Cheshire and Lancashire, which would then sell for 100*l.*, is now worth 200*l.* And the same is true to nearly an equal extent of meat, wool, and butter—so that supposing all improvement in both corn and dairy land to have meanwhile stood still, the proportionate profit of cultivating the one in comparison with the other must have greatly increased.

The effects of this encouragement to proceed in the special direction of stock instead of corn husbandry, as far as the natural constants — geographical, physical, geological, and anthropological — would admit, has been very striking, not only on the methods of culture which have gradually established themselves, but upon the influence exercised by recent legislation on the agriculture of the Kingdom as a whole, and upon the rents of land both absolute and comparative. As to the methods of culture, the production of more manure, which is the natural consequence of keeping more stock, has enriched and rendered more productive the corn land to which it has been applied; and by thus showing the value of manure to many who previously neglected it, has caused inquiries to be made and steps to be taken for the purpose of obtaining additional supplies from beyond the boundaries of the farm. How these have led to the collection and importation of vast quantities of bones, to the establishment of numerous manufactories of artificial manures, to the transport of whole hills of guano from the remotest shores and islands, &c. &c., is familiar to every one.

Upon the legislative measures again — of which, in reference

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to agriculture, the most contested have been those affecting the Corn Laws — the influence of this gradual change in the form of husbandry has been to limit the seriously injurious action of the repeal of duty to a comparatively small proportion of the entire value of our farming produce; to a zone also of peculiarly dry land, less visited by rain, and upon which corn must always be the largest and, probably, most profitable crop. And, lastly, its influence upon the comparative acreable rental in the different regions we have spoken of, has been both great and striking. Thus the average rent per acre of cultivated land in England, as estimated by Mr. Young in 1770, and by Mr. Caird in 1850, was as follows: —

	s.	*d.*
Of 26 counties in 1770 (Young) - - -	13	4
Same 26 counties in 1850 (Caird) - - -	26	10
Of 32 counties in 1850 (Caird) - - -	27	2

Showing, as far as these accounts are to be relied upon, that the average rental of the kingdom, as a whole, has doubled within the last eighty years. But between the rents of the eastern and western of the thirty-two counties referred to above, Mr. Caird estimates the difference to be as follows: —

	Rent in 1851. *s.*	*d.*
Eastern and Southern — 14 corn-growing counties -	23	8
Midland and Western — 16 grazing, green crop, and dairy counties - - - - -	31	5
Difference - - - - -	7	9

According to which numbers, while the one division has risen 10*s.* 4*d.* the other has risen 18*s.* 1*d.* above the average of 1770. Thus the landlords have benefited, independent of all spontaneous improvements, through the influence solely of what we have called natural constants, much more largely on the western than on the eastern half of England. But between the comparative fortunes of the tenantry on the two divisions of the island there has been a still greater diversity. For while the value of the staple produce, supposing it only the same in quantity as in 1770, has, as we have already said, doubled in market value to the western farmers, the price of corn, the staple crop of the eastern farmer, is almost exactly the same in 1852 as it was eighty years ago. In other words, leaving all improvement on either side out of the question, the money return from the stock farms has been doubled at a cost of 18*s.* 1*d.* of increased rent, while

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from the corn farms the returns are still the same in value, and yet the rent upon them has been raised by 10*s.* 4*d.* an acre.*

And looking at the future of our English husbandry, the same natural progress will go on. Year by year the mixed husbandry of corn and cattle will usurp the place of the mere growing of corn. The feeding of stock will extend itself eastward and southward, as far as natural conditions permit, so as to give a greater share of the more profitable husbandry to the now less fortunate counties, till something like an equality be arrived at between the profits of the two cultures. And this will come about the sooner should there be either a rise in the price of corn from deficiency in the supply, or a fall in that of animal produce from too rapid an increase of production. The high prices which, while we write, are being realised for young stock in the Irish markets, are a consequence, we believe, of this effort towards an equalisation.

We have not been anxious to criticise the statistical averages above made use of. It was unnecessary to our immediate object of illustrating the effect which natural constants exercise over our national agriculture, and of showing how a familiarity with these enables us to comprehend the general scope and tendency of any agricultural epoch;—how it enables us also to perceive the influence of this tendency upon the details of the art itself, as well as upon the many social interests which connect themselves with it while in a state of transition; and even to predict its future, and the influence which this or that measure is likely to exercise in rendering that future prosperous. But we are sufficiently alive to the looseness of the so-called statistical tables of rents and produce with which Mr. Caird and even Arthur Young has favoured us. They are, in fact, little better than random guesses, and show more clearly than almost any thing else, the necessity of public steps towards obtaining agricultural data on which safe opinions and reasonings may be based, and by which the prudence of proposed legislative measures may be examined and tried.† We must hope in that case, however,

* We do not stop here to inquire how far successive improvements have, during this long period been interfering to prevent the actual condition of the corn grower from being really worse now than it was in the time of Arthur Young. This is briefly considered in a succeeding page.

† We give a single fact from each of these writers in justification of our strong language. 1. Arthur Young estimated the produce of corn of all kinds in England in 1770 at two millions of quarters more than, after all our improvements, the best authorities do in 1852! And, 2. Mr. Caird states the average produce of wheat in Northumberland to be now thirty bushels an acre, while the Farmers Club,

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that our official statistics will be more carefully watched, than those of France have been, according to M. Fayet, in his *Observations sur la Statistique Intellectuelle et Morale de la France.*

How very glaring the want even of the most elementary statistical knowledge upon agricultural matters in this country is, is strikingly illustrated by an interesting dispute which has recently occupied a place in our leading journals. The present Solicitor-General is reported to have said, in substance, while addressing the electors of Harwich, that 'though three millions 'of quarters of corn may have been imported in 1850 above 'former years, this had not necessarily given more bread to the 'working classes, since *three millions less had been grown at* '*home.*' Now though probably not a single individual at all conversant with British agriculture would attach importance to this statement, yet there exist in reality no data by which it can be conclusively shown to be false. We have little more than counter-assertions to place against one another; while by an amusing juggle with the English corn inspectors' returns and those of the Irish constabulary, Mr. George Young has contrived to give a show of probability to the Solicitor-General's statement. Colonel Torrens has the discretion to speak only in generals of the 'calamitous collapse' of agriculture; but admits that there are no data by which the 'rapid contraction' of cultivation can be measured. With a similar atmosphere of vague uncertainty almost every agricultural question is more or less surrounded, and to this vagueness a very large number of the differences of opinion, out of which parliamentary and other discussions arise, may be distinctly traced.

We have thus imperfectly illustrated the kind and quality of information in regard to our national agriculture which may be derived, on the one hand, from personal surveys, even of single counties; and, on the other, from a familiarity with the kind and extent of influence which physical and other constantly operating natural conditions are continually exercising upon the state of our agriculture and the proceedings of our farmers. A host of separate topics now rise before us, to which, in the present agitation of the agricultural body, we could willingly advert. But we have already exceeded the limits we had assigned to ourselves, and shall therefore, in conclusion, briefly advert only to two points.

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of Newcastle-on-Tyne, have since given it as their maturely considered opinion that the true average lies somewhere near eighteen, but does not exceed twenty-two bushels! What opinions may we not advance and support if we are at liberty to adopt at pleasure data so different as these?

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First. The question of rent is one which has given much trouble to political economists as well as to landlords and tenants. Its amount, as Mr. Caird's letters show, is frequently determined by local, personal, arbitrary, and even whimsical, circumstances, not less than by the nature of the soil and climate, the amount of the crops, and the facility of access to markets. We have already seen that, with the general progress of the country, the average rental of land has been doubled, and that the interference of natural causes has caused this increase to be much greater on stock than on corn-growing land. But the influence of special improvements upon the rental has not been illustrated by any thing we have said, and this point we are anxious to bring out as worthy at the present moment of especial consideration, from both the owners and occupiers of land. By way of making this relation as distinct as possible, we shall take the practical case of a mixed corn-and-cattle husbandry farm, such as occur in numbers in Norfolk, Bedford, and others of our Eastern counties; and we shall suppose it to be situated in either of the two counties we have named. The average rental in these two counties in 1770 was nearly the same, and they are nearly alike now. Thus they were respectively in

	1770. Young.			1851. Caird.	
Bedford - - -	12	0	per acre	25	6
Norfolk - - -	11	6	„	25	0
Average of the two -	11	9		25	3

Suppose a farm of the average quality of these counties to have been paying the average rent of 11*s.* 9*d.* per acre in Young's time, then among improvements which have been since introduced, and to which an ascertained gain or saving per acre can be assigned, we may particularise the following: —

	s.	*d.*
1. Steam threshing, and other barn machinery, as on Mr. Thomas's farm, Lidlington, Beds., and estimated by him at a saving per acre of * - - - - -	5	8
2. Meat saved in sending stock to London market by rail, instead of driving them, as by Mr. Hudson, of Castle Acre, Norfolk, and estimated by him at per acre † - -	8	0
3. Saving of grain left in the straw when hand threshed, estimated by Mr. Brown at $\frac{1}{20}$th. Take this at half-a-bushel of wheat for each acre, or say - - -	2	0
4. Lighter ploughs, use of cultivators, and other improved implements, a saving of - - - - -	2	0

* Caird, p. 449. † Ibid. p. 169.

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	s.	d.
5. More ready access to markets for heavy produce, as for potatoes, &c. from Bedford, and cheaper transport for corn —and for manure, guano, oilcake, lime, &c. from market, a saving of say - - - - - -	4	0
(To a dairy farm this item would be much larger from the facility of sending milk and butter to distances even of sixty miles or more.)		
6. Thorough drainage of say one-fifth only of the farm, improving it 5*s.* an acre at least in productiveness and in ease of working — on each acre - - - -	1	0
7. Gain from use of guano, bones in various forms, nitrate of soda, &c., all introduced within this period* - -	5	0
8. Saving of seed on higher farmed land, in horse and other food by preparing, steaming, sprouting the barley, chopping the straw, &c., and in the selection of better breeds of stock†, say - - - - -	2	6
In feeding farm horses alone, savings have in many instances been recently introduced, which are alone equal to 2*s.* an acre on arable land.‡ While by the growth of Italian rye grass, in others, the quantity of cattle on the same occupation has been doubled.§		
	30	2

To this list we might have added many other particulars — game and hedgerow timber, for example, from which many corn farmers have been wholly or partially relieved, the gain from better rotations, &c. — and we might safely have estimated at a higher sum each of those items in regard to which we have exercised our own judgment. But suppose these improvements and savings, only, to have been introduced upon our average farm rented at 11*s.* 9*d.*, and supposing only *half the saving or profit* to have gone to the landlord, the rent should now have been —

	s.	d.
Rent in 1770 - - - - -	11	9
One-half savings and profit on improvements -	15	1
	26	10
But the real rental now is - - -	25	3
Being a difference in the tenant's favour of only -	1	7

* See, inter alia, *Caird*, p. 167.; *Johnston's* 'Elements of Agricultural Chemistry and Geology,' 5th edition, p. 185.; and the 'Experimental Agriculture,' of the same author, *passim*.

† See Edinburgh Review, No. clxxx., pp. 439, 440.

‡ Caird, p. 345.

§ Raynbird, p. 47.

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This statement shows us that improvement in the means and methods of the farmer lies at the very foundation of, is, in fact, the very source and substance of, all permanent increase of rent from land; and, therefore, that it is the immediate interest of all proprietors of land to promote such improvement. But it goes further, and shows still more. Besides the savings and gains above described, the farmer, in all parts of the kingdom, has had his returns greatly increased by the rise in price which has taken place in farm produce during the eighty years we are considering. In stock and dairy produce, as we have already seen, this rise has doubled his returns. And though in the corn-growing districts less of such increased returns has found its way into the farmers' pockets, yet a judicious mixed husbandry of stock and corn has long been the pride and profit of both Norfolk and Bedford, the counties from which our examples are taken. In addition, therefore, to the full half of his supposed savings and gains from improvements, the farmer has been in the habit of receiving all the increased returns which have been derived from the rise in the price of produce. It follows, from this fact, that had there been no rise in the price of produce, the tenantry must have retained to themselves more than one-half of the supposed benefits from improvements; in other words, the rents would never have risen to their present average height. We say the tenantry *must* have retained more, because, otherwise they could neither have accumulated the capital by which the improvements have been effected, nor have been able to procure those additional comforts which the progress of society has made necessary to the happy existence of the tenantry, not less than of the landlords of 1851 compared with those of 1770. Not only, therefore, has practical improvement been the cause of the rise of rent, but the maintenance of the existing rents is only compatible with the continuance of progressive improvement, and especially of improvement in that line of increasing the production of higher priced animal food of all kinds, which the advocates of high farming are on every hand pressing upon the attention of the rural community.

Did space permit, it would be interesting to inquire, in the light of the above remarks, how it comes that during all this long period of improvement the average rental of Surrey has only risen 3*s.* 3*d.* (from 15*s.* 9*d.* to 18*s.* 6*d.*), while in Durham it has actually fallen 3*s.* (from 21*s.* to 17*s.*) an acre?

Second. The question of relief to the agricultural interest — in another form, what can be done to better the condition of that portion of the farming body which has suffered most from the recent fall in the price of corn—is one which for the moment has

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re-acquired a factitious importance from the accession to office of a nominally Protectionist Administration. The tenor of the present Article is to show that the alteration of the Corn Laws in reality affects only a fraction either of the surface of the three kingdoms or of its agricultural produce in money value — and that a natural tendency to the production of animal food is in operation, through which, if undisturbed, matters will by and by be enabled in a great measure to adjust themselves again. There are, however, many minor points — such as those indicated by the grumblings we met with in Suffolk — which the Legislature, the proprietors and tenantry together, the special friends of agricultural improvement, or the influence of public opinion, may by degrees effect, and which may materially aid in promoting comfort and contentment in rural quarters. We merely enumerate a few of these, by way of hints to persons who are desirous of doing something which holds out a promise of real and intelligible good. Among the negative proceedings of the Legislature we place, first, the cessation of all future intermeddling with the trade in corn or other agricultural produce of native growth. As to what they may positively *do* or facilitate Mr. Caird recommends: —

1. The cheapening and facilitating the transfer of land.
2. The sale of overburdened estates (power to sell).
3. The encouragement of leases with liberal covenants.
4. An alteration of the law of settlement.
5. The collection of agricultural statistics.

To these we add: —

6. Further advances of public money for land drainage, and other improvements.
7. Alteration of the law of distress for the benefit of the farmer, as well as of the law of settlement for that of the labourer.
8. Promotion of further extension, in the rural districts, of easy means of intercourse by roads and railways.
9. A reconsideration of the game laws, with the view of removing the social disadvantages which the preservation of game now engenders.

Then, acting either singly or conjointly, landlords and tenants may of themselves introduce profitable ameliorations; as to,

1. The introduction of a leasehold tenure and an adjustment of the allowances to retiring tenants.
2. The enlargement of fields and the improvement of hedgerows, the introduction of better rotations — of threshing machines, reapers*, and other improved implements — of cheaper modes of

* The experience of Mr. Bell, the brother of the inventor, is that

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working and preparing the land.—and of a more liberal system of manuring.

3. Extending the growth of flax, chicory, and even of the sugar beet in favourable localities.

As to the advancement of the purely scientific part of agriculture, we might recommend the prosecution of scientific experiments in the field—the preparation of surface or drift maps of the kingdom for the special use of practical agriculture—and the enlargement of the means of agricultural education. But each of the former two would require a special illustration, of which our space does not admit; while, that the question of agricultural education has in it, as regards English agriculture, a remarkable speciality is proved by the fact,—that with the smallest organisation for public instruction in knowledge bearing upon it, Great Britain has obtained in the improvement and practice of this art the very highest place. We leave these topics, therefore, for future consideration.

ART. VIII.—*Lives of the Friends and Contemporaries of Lord Chancellor Clarendon.* Illustrative of Portraits in his Gallery. By Lady THERESA LEWIS. 3 vols. 8vo. London: 1852.

ON the 29th of November, 1667, Evelyn of the Sylva went to visit Lord Chancellor Clarendon in Piccadilly: 'I found 'him in his garden at his new-built palace, sitting in his gout-'wheel chair, and seeing the gates setting up towards the north 'and the fields. He looked and spake very disconsolately. 'After some while deploring his condition to me, I took my 'leave. Next morning I heard he was gone.' He was, indeed, gone for the last time, leaving his scarcely finished palace, and saw that splendid building, the very joy of his heart, no more;—the finest piece of domestic architecture, in Evelyn's opinion, which had been raised in England, and far surpassing Audley End, with which he compares it;—in the simpler language of Pepys's cockney admiration, 'a most beautiful house, and most 'strongly built in every respect; and as if it had, as it hath, 'the Chancellor for its master.' Twelve months afterwards Evelyn dined there with Clarendon's son, Lord Cornbury, and took especial note of the grand ornament of the place, 'the pic-

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the use of the reaper, in the Carse of Gowrie, gives a saving of 3*s.* 6*d.* upon every acre in corn.

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'tures of most of our ancient and modern wits, poets, philo-'sophers, and learned Englishmen; which collection of the 'Chancellor's I much commended, and gave his Lordship a 'catalogue of more to be added.'

The forming of this famous portrait-gallery had been one of the Chancellor's magnificent passions. It was a pursuit which suited his historical imagination, — the 'anthropologous' turn of his mind, as his Oxford constituents might have called it; his fondness for dwelling on individual characters, and bodying them forth in classical delineations; his strong sympathy with all that was noble, chivalrous, and distinguished. It must have cost him a sad pang to quit it; and we can conceive the disgraced statesman echoing the bitter regrets of his old acquaintance, Mazarin, when summoned six years before to a still heavier parting: 'Ah mes tableaux, mes chers tableaux, que j'aime tant '. . . . et qui m'ont tant couté!'

It is alleged, however, that the taste for these expensive luxuries was not quite so extravagant in Clarendon as an humbler collector might find it. Though a French marshal of Napoleon could undoubtedly cover his walls at a cheaper rate than an English Chancellor even under the Stuarts, still it has been whispered, that when Hyde held the seals the days of Bacon were not so far gone by as to have rendered the comfortable practice of propitiating the dispenser of justice and patronage by donations wholly obsolete. 'That picture saved an honest 'man's life,' observed Soult to a visitor, pointing out a 'gem.' 'Yes,' whispered his aide-de-camp, 'Soult threatened to shoot 'its owner, but let him off in consideration of the picture.' Possibly, it is hinted, there may still have been suitors, in Lord Clarendon's time, simple enough to imagine that they could procure a place, or even save an estate, by a similar sacrifice. We are treading here on delicate ground: for such is the proud attachment of members of English families to names possessing for them hereditary or even party interest, that the fair fame of a great man of two centuries ago may be still the subject of earnest and even irritating debate. The late Lord Dover excited considerable scandal by the paradoxical onslaught which it pleased him to make some years ago, in his 'Historical 'Inquiries,' on that of Chancellor Clarendon. In reference to this matter of the pictures, Lord Dover brought forward as part of his indictment the allegations of Lord Dartmouth: one whose accusations no man ought to repeat without fully warning the reader of the character of their author: 'one whose splenetic 'humour,' says Mr. Hallam, 'makes him no good witness against 'any one.' This unmerciful scandal-monger says that Lord

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Clarendon 'undertook the protection of those who had plundered 'and sequestrated the others; which he very artfully contrived, by 'making the King believe it was necessary for his own ease and 'quiet to make his enemies his friends; upon which he brought 'in most of those who had been the main instruments and pro-'moters of the late troubles, who were not wanting in their 'acknowledgments in the manner he expected: which produced 'the great house in Piccadilly, furnished chiefly with cavaliers' 'goods brought thither for peace-offerings, which the right own-'ers durst not claim when they came into possession.' Against this libel Lady Theresa Lewis resolutely defends her eminent ancestor: and less partial critics will probably pronounce it a gross invention of the profligate set who procured his disgrace: men, whose common preface to an impudent piece of begging was to lay the ruin brought on them by their own debaucheries at the door of the Roundheads and their protector Clarendon. But we are not sure that her Ladyship's plea altogether negatives the minor offence of taking an occasional present. Indeed, she candidly quotes the language of Evelyn, who loved the Chancellor, his memory, and his gallery very dearly, but who confirms on this point the popular belief:—'When Lord Clarendon's design of 'making this collection was known,' he says in a letter to Pepys, 'everybody who had any of the portraits, or could purchase them 'at any price, strove to make their court by presenting them. By 'this means he got many excellent pieces of Vandyke, and other 'originals by Lely and other the best modern masters.' None of the heavier charges of corruption, profusely vented against Clarendon, have ever been brought home to him: but *tout homme est homme*, and a collector most of all; and we can scarcely doubt that Evelyn gives the real origin of one portion of Clarendon's pictorial wealth, though Lady Theresa, with very great truth, suggests that of another.

'There is, however, no difficulty in accounting for the facility with which the Chancellor and many other collectors of the period may have become possessed of portraits that had once been prized and cherished by their original owners. The Royalists were not the only sufferers during the civil wars. Many houses were pillaged on each side, and large collections of pictures were thrown into the market both by plunder and by the necessity for money. The Duke of Buckingham lived for a time on the profits arising from the sale of his father's gallery.'

Lady Theresa might also have specified Lord Arundel's, which perhaps was greater still. But that of Charles himself furnished the greatest windfalls of all. His various collections comprised, according to Mrs. Jameson, not less than 1387

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pictures, of which the catalogue is preserved; but numbers more were wasted in the confusion as unregarded trifles, — given away, among other things, to the King's old servants by way of arrears of wages; as appears from the statement of Mrs. Hutchinson, also quoted by Lady Theresa, that her husband paid no less than 2000*l.* to some of these people for pictures, and 'bought such good pennyworths, that they were 'valued at much more than they cost.' That heroic lady seldom provokes a smile; but we cannot help being a little amused at her indignation when the Secretary of State, after the Restoration, reclaimed the aforesaid pictures, 'in spite of the Act 'of Oblivion,' forgetting on the other hand himself to repay the Colonel the cash which the latter had actually advanced for these unlucky 'pennyworths.'

In truth, from the first sack of Imperial Rome until the great European catastrophe which made the fortune of the Marshals aforesaid, no better opportunity was ever afforded to the collector than that produced by the English civil wars; and the gallery of Clarendon House must indeed have been a noble spectacle. Lady Theresa has endeavoured, with affectionate industry, to catalogue its contents; but the attempt is only partially successful. The lists given by Evelyn, obviously incomplete, mention about seventy by name, besides 'all the late 'Chancellors and grave Judges in the reigns of Elizabeth, 'James, and Charles I., several of the clergy, and others of the 'former and present age;' and so forth. Lord Hyde's inventory in 1750, comprising only a portion, but with some later additions, gives nearly 150. But the quality of the collection was more remarkable than its number: for it was not made at haphazard, but selected by design, under the eye of one by whom all that was eminent in English story was thoroughly known and appreciated, and comprised what he considered the *élite* of the nation during the most stirring years of all its annals, from the Armada to the Restoration.

On the demolition of Clarendon House, the pictures were removed to Cornbury, the country-seat of the ex-Chancellor. The second Lord Clarendon was constantly in pecuniary difficulties, 'which, how contracted, remains yet a mystery,' says Evelyn, 'he being no way a prodigal;' but the truth is, he seems to have been one of those dull, steady men, who are always in debt from mere want of strength of mind to keep out of it. The first inroads on the collection seem to have been made to meet these demands. Nevertheless, the bulk of it passed to his brother Lawrence, Lord Rochester, when the latter took from Lord Clarendon a private conveyance of Cornbury to clear his debts.

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This circumstance saved it from the dispersion which must necessarily have taken place if it had descended to the third Lord Clarendon, the notorious profligate and spendthrift, whose picture, in the disguise of a woman, is said by Lady Theresa to be in Sir John Pakington's house in Worcestershire, being the costume in which he, when governor of New York, was wont to startle the sober Dutchmen in his nightly frolics. The title ultimately passed to the younger branch, the lineage of Lord Rochester. Another unworthy descendant of this race, Henry, Lord Clarendon, having again greatly encumbered the property, Cornbury was sold in 1749 to the Duke of Marlborough; but the pictures remained the property of the Hyde family. The son of the last Hyde Lord Clarendon, Lord Hyde, died in 1751, in the lifetime of his father, whose whole property had been transferred to him for the honourable purpose of discharging the debts. Lord Hyde left all his property, real and personal, to Lady Charlotte Capel, eldest daughter of his eldest sister, the Countess of Essex, the pictures being specially left as heirlooms. He died in 1753, at Paris.

Lady Charlotte Capel married the Hon. Thomas Villiers, afterwards Earl of Clarendon, and the ancestor of the present earl. But, unfortunately for the lovers of art and history, the precious portrait-gallery did not pass without injury through the ordeal of household arrangements and lawsuits. The Duchess of Queensbury, Lady Essex's younger sister, was by no means pleased with the settlement which transferred all this property to her niece; and the eccentric duchess was not one of those self-denying people who are born to act the part of family martyrs. She poured out the vials of her utter scorn on all her sister's family, and especially on her niece's husband. 'Could 'they not find the puppy a collar,' she exclaimed, when the barony of Hyde was conferred on Thomas Villiers by George II., 'without giving him the honours of my ancestors?' After ten years of Chancery, her Grace succeeded in defeating Lord Cornbury's attempt to preserve the collection, and obtained half of it. The Queensbury portion was removed to Amesbury: and thence (by the last duke) to Richmond, where Horace Walpole saw it in 1786. 'I went yesterday to see the Duke of Queens-'bury's palace at Richmond, under the conduct of George 'Selwyn, the concierge. You must imagine how noble it looks, 'now the Amesbury gallery are hung up there. The great 'hall, the great gallery, the eating room, and the corridor, are 'covered with whole and half lengths of royal family favourites, 'ministers, peers, and judges, of the reign of Charles I., *not one* '*original I think, at least not one fine,* yet altogether they look

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'very respectable.' After the last Duke of Queensbury's death, this collection passed, with other property, to Lord Douglas, and is now (with considerable diminution) at Bothwell.

Lady Jane Capel's half forms at present the collection at 'the 'Grove,' of which her descendant, Lady Theresa, has now made herself the special historian; adding thereby an appendix of no common interest to the work of Mr. Lister, on the life of Lord Clarendon himself.

Either Horace Walpole was much mistaken as to the value of the pictures at Richmond, which, with submission to Lady Theresa, we think unlikely, or Duchess Kitty was egregiously circumvented in the choice of her half, although it seems that the selection was left to herself. For although it is true, that the Chancellor seems to have formed his collection much more with regard to completeness in the choice of subjects, than to merit in point of art, yet the gallery at the Grove is assuredly rich in noble specimens of the second great era of portrait-painting. It affords a favourable opportunity for studying the second-rate painters of that time — such as Van Somers, and especially Jansen, who has scarcely had justice done him in the exclusive homage paid to the name of Vandyke. But not less than twenty works of Vandyke himself are catalogued by Lady Theresa as now at the Grove; and these include most of the great noblemen of Charles the First's Court and time—the heroes of the History of the Rebellion. They were painted mostly, as it would seem, during *il pittore cavalleresco's* second visit to England. They are of very various degrees of merit: but among them are as fine examples of the artist as any which this country affords; and the following passage, to which we must reluctantly limit the pictorial part of our extracts, will show how much appreciation of art Lady Theresa has derived, together with her biographical learning, from the subjects of her favourite gallery.

'All anecdotes connected with the private history of Vandyck, or the exercise of his art, have been so carefully collected by various writers, and the doubt, so interesting to the English, at length cleared up, as to the time and duration of his early visit to England, that it would be as unnecessary to enter upon his biography here as to dwell upon his excellence as an artist and as a portrait-painter. But those who have been led to make his works an object of interest and pursuit, are naturally struck with the heavy burden which is laid upon his reputation in the very large number of indifferent pictures which, through ignorance or dishonesty, are attributed to his pencil. Flowing locks, and collars trimmed with lace turned flat upon a dark costume, seem often to be the only foundation on which an ill-painted picture claims the right to be called "a Vandyck;" the

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worst copies are stoutly maintained to be originals, and names of persons are assigned to portraits, in proof of authenticity that violate all possibility as to date or place: those who were dead before Vandyck was born, and those who were born after his death, are alike supposed to have had the honour of being portrayed by the great Apelles of the seventeenth century.

'Pretensions such as these are, in fact, the homage which fame and excellence provoke, and spring from the natural desire to possess, or be thought to possess, what the world has agreed to value highly: but whilst gross pretensions may excite ridicule, and interested frauds call forth the indignation of the zealous admirers of a favourite master, it must also be allowed that considerable difficulty arises even amongst competent judges and honest witnesses in determining the originality, or rather, perhaps, the degree of originality, in several of Vandyck's pictures.

'It is clear that from his studio many more portraits emanated than could have been executed by him alone during the few months of his first visit to England in 1620, or in the nine years of his second residence, beginning in 1632. It is well known that he had working for him scholars, such as David Beck, John de Reyn, and others, who successfully imitated his painting when employed under his direction to copy his pictures or paint from his designs, and into whose work he could always introduce his own handling of the more important parts, and add those peculiar touches that set at once his own mark on the performance, and thus raise it from the rank of a copy to the dignity and value of a duplicate production. Consequently, the repetition of a portrait from the studio of Vandyck furnishes no evidence by which to solve the question of copy or original. When, therefore, the unequal excellence of the picture affords room for doubt, the point of how much or how little was the work of the master's own hand, can only now be divined by the skill of the connoisseur. To these difficulties must be added the more commonplace ones occasioned by the injuries of time and disguises effected by picture-cleaners' repairs.

'On the other hand, there are no works which afford greater facilities, both artistic and historical, to be recognised as proceeding from his studio than Vandyck's English portraits. They were chiefly the portraits of persons distinguished by their rank or position; and of many there are prints, either contemporaneous or nearly so, with the name of "Vandyck pinxit" inscribed on the engraving. Again, the age of the persons represented, being known, will be found to correspond or not either to the time of his first or his second visit to England; and the dissimilarity of the costume of these two periods offers another means of testing the correspondence of the apparent age of the person depicted and the time when Vandyck could have painted him. When the subject of a portrait is represented as bearing the insignia of any particular order of knighthood, the date of his admission into that order, being compared with that of Vandyck's first or second visit, affords another guide as to the period at which it was painted; unless, as may have happened in some cases, the

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garter or ribbon were added by a later artist. Another mark of Vandyck's studio is the frequent introduction of certain curtains, which probably belonged to him, and became favourite pieces of furniture for the purpose of backgrounds, and of which the pattern as well as colour are so carefully painted as to render them at once familiar to those who have been accustomed to look attentively at the composition of his pictures. It would be tedious to narrate all the instances in which the favoured rich damask curtains appear, and how the same pattern may be traced sometimes hanging down, sometimes folded transversely, sometimes drawn tight — giving the effect of an oak panel; but there are the curtains, sufficiently well defined to leave no difficulty to any one in recognising and identifying them as easily as the well-known furniture of his own house.

'There are many peculiarities in the composition of Vandyck's pictures which characterise his pencil, and which mark what in art may be termed his "feeling" in composition, his arrangement of light and shadow, and the form of his designs. The frequent introduction of a small portion of landscape in the background—the mass of shadow produced by some object introduced on one side of the picture —the extraordinary delicacy of his half tints, and even the peculiar blue hue which his pictures assume when faded — the pointed hand, the arm resting on the hip or on a ledge, so as to relieve the straight line of the standing figure by the introduction of a triangular form on the side, or the foot raised on a step, to produce the same effect by the bended knee — the rich satin in his costumes — the precision of touch without hardness, of elaborately worked lace — the often repeated roses, in the hand or on the table, with his female portraits — the favourite attitude of the hand clutching the skirt of the gown — the simplicity with which he imparted force and dignity to his portraits of men, of cold serenity to those of women, and of well-bred demureness to his children — are so many types by which the hand of Vandyck may be traced. The imitators of this great master may have adopted, with more or less success, some of the marked characteristics of his style and composition; but due attention paid to his peculiarities, combined with a careful comparison of the age, decoration, and other circumstances of the persons represented, will tend at least to save the error of attributing portraits to Vandyck that do not tally with the period of his second residence in England, when the style by which he is best known in this country was confirmed.' (Vol. iii. pp. 241. 244.)

Of the three worthies whom Lady Theresa selects in the present volumes as representatives of the Chancellor's troop of illustrious friends, we pass over Lord Falkland as a personage familiar to every one, and the subject of a thousand delineations, from the literary portraits by Clarendon and his copyists, down to the sulky likeness in plaister which stands sentinel in Mr. Barry's magnificent avenue to the House of Commons. We pass on without reluctance to a less known character, but scarcely less deserving to be known — the gentle giant, Lord Capell, the

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Ajax of Charles' army for personal valour and honest simplicity of purpose, without one scruple of the obstinacy and arrogance that sully the high qualities of the Homeric hero. Brave as a paladin, yet modest as a woman and gentle as a child, great in his absolute sacrifice of self and in the perfect unconsciousness of his own greatness, there is no one of the champions of Royalism in the great rebellion to whom we turn in memory with feelings so nearly resembling those of personal attachment.

Arthur Capell lost both his parents early in life, and was brought up by his grandfather, 'a gentleman of great estate, 'and one who followed the old mode of our nation;' an 'old 'courtier of the Queen's,' with the prejudices as well as good qualities of that venerable character. In the long peace of the early Stuart reigns, the 'grand tour' was almost as common a stage of education as it became again in the last century; but old Sir Arthur negatived it in the case of his grandson, and set forth a paper of 'Reasons against the travelling of my grand-'chylde, Arthur Capell, into the parts beyond the sea,' which would probably have tempted Sydney Smith to pronounce the author a 'foolometer' of exquisite accuracy for the year 1622.

'Imprimis. His callinge is to be a countery gentillman, wherein there is lyttell or no use of foreane experience.

'2. Item. If God visitt him w^h^ sicknes, he shall not have those helpes abroade that he shall have at home in his owen countery. And there lyethe a greate penalty upon his deathe: for his brother is so younge, as in all probabylyty he is like to be a warde, w^h^ will be a greate hindrance unto the family, boathe by the impoveryshinge the estate of the next heyer, and by the ill p'viding for the younger children, his sisters, both for their educatyons and hopes for their preferments in maryage.

'3. Item. His tyme maye be better spent at home than abroade in regard that he may study the lawes of the relme, maye be made acquaynted with his estate in his grandfather's lyfetime, whereby he shall be better able to governe it after. Allso, if he will applye himselfe, he maye be a good staye and helpe to his owlde and weak grandfather, whereby many of the name and family, as yet but in meane estate, maye be the better provided for.

'4. Item. It is to be feared that throughe the wycked prests and Jesuites in those forane partes he may be perverted to the idolatrous Romane relygion: and if it be answered that he is so well grounded in trewe relygyon allready that there is no fear thereof, it may be replyed agayne that he is very younge, and they subtyle and industrious; and that it is a safer waye by abstayninge from travell to avoyde the meanes, then for a man to thrust himself into the peryll w^h^out any necessary occasyon.' (Vol. i. p. 250.)

Arthur Capell staid at home, and acquired the celebrated property of Cashiobury by marriage with the heiress of Mori-

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son. He was already in middle age when the Long Parliament was summoned, having been born in 1603: but he entered it with all the popular zeal which, the reader will observe on examination, was generally most prevalent among men who had attained that particular age; men on whom the blow inflicted by the illegal conduct of Charles in the first year of his reign had fallen in the vigour of their youth, when their susceptibilities were strongest, and whose youthful resentment was as it were prolonged and kept alive by ten years of repression. Lady Theresa doubts as to the particular motive and crisis of his conversion to Royalism; we have no doubt it was caused by the execution of Strafford. His share in it was the one sin of which he accused himself on the scaffold — the one act of cowardice of a brave and virtuous life: 'which' (he said to Bishop Morley) 'I did against my conscience, not out 'of any malice to the person of the man, but out of a base fear,' (they were his own words), 'and carried away with the violence 'of a prevailing faction, and for which I have been and am 'heartily sorry, and have often, with tears, begged, and, I hope, 'obtained, pardon of Almighty God.' He went through the usual trials of loyalty, battles and marches, sequestration and plunder, without any of its common rewards, for his modesty seems to have brought him only the constant postponement of his claims to those of others: there is no trace of honour or reward achieved by him, and his very peerage (as Lady Theresa inclines to suppose) was only conferred as a mode of raising money from him. He waived rank to which he was entitled, command in which he might have been eminently successful, in order that the rapacity of the Grenviles and Gorings might be for the moment appeased. He, with Lord Hopton (his uncle by marriage), Hyde, and Culpepper, formed the council to which was entrusted the special management of the affairs of the young Prince of Wales; and had not their strong advice to keep him on English ground been overruled by the greater influence of the Queen and Mazarin over the unfortunate King, England might probably have avoided her Republic and her Restoration.

The readers of Clarendon will not forget one of the most charming parts of his narrative, though not a little disfigured by the writer's characteristic vanity — that which describes the life of retirement led by himself, Hopton, and Capell in Jersey, after the close of the first civil war. Of the three, Capell alone ventured home, to place his sword once more at the service of his King, in a last desperate struggle, where a darker prospect than that of a soldier's death lay ominously before him. Shut

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up with the other authors of the unsuccessful Kentish rising of 1647 in Colchester, he took part in that gallant defence which is among the best remembered incidents of our civil wars. This was a life and death struggle on the part of Parliament as well as the Royalists; for the forces of Fairfax were actually inferior in number to the besieged, though greatly superior in effectiveness, and a repulse might have set England in a flame. It is to this circumstance, much less than to a ferocity of which Fairfax was incapable, that the harsh military measures resorted to by the Government must be attributed. Lord Capell's son, a boy of sixteen, was seized in his mother's house, and sent down to Fairfax's army, to be dealt with by way of surety for the committeemen of Parliament captured in the town. Lord Capell wrote to the Roundhead leader, that 'he might murder his 'son if he thought proper to do so, and he would leave his 'blood to be avenged as Heaven might think fit.' But the better feeling of Englishmen prevailed, and the youth was restored to his mother.

The surrender of Colchester was at discretion — 'mercy or 'no mercy.' Nevertheless, after the military execution of the two chiefs, Lucas and Lisle, whose gallantry and misfortune must not make us overlook the fact that they suffered as leaders in an insurrection against a successful party in a pacified country, there was, at first, little indication of intended severity against the remaining captives. A vote passed the Lords for the banishment of Lords Holland, Norwich, and Capell; but before the assent of the Commons could be obtained, the vote was reversed, under the pressure of that military conspiracy which was then rapidly advancing to its consummation by the execution of the King. Lord Capell, though confined in the Tower, seems to have had full information of the impending fate of his sovereign. Restored to the use of the pen, 'an instrument,' as he terms it, 'not suitable to his genius,' he employed it to address an enthusiastic remonstrance to Cromwell, with whom, personally, he seems to have been on terms of courteous acquaintance. This letter ends with the earnest appeal — 'I would to 'God my life could be a sacrifice to preserve his! Could you 'make it expedient to serve that end, truly I would pay you 'more thanks for it than you will allow yourself for all your 'other merits from those you have most obliged, and die your 'most affectionate friend.' A phrase chiefly remarkable, as Lady Theresa observes, from the singular misuse made of it by Horace Walpole, who says that Capell, in writing to Cromwell, subscribes himself 'your affectionate friend.' If any one is curious enough in such matters to wish to establish the exact

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social terms which subsisted between the two, he may observe that the short note to Cromwell, in which Capell enclosed this address, is simply subscribed 'your humble servant.'

If he could not die for his King, he was doomed to form one of the body guard of faithful followers first despatched to wait on his *manes* — being brought before Bradshaw's High Court of Justice, in the course of the month after Charles's execution. But his constancy was yet to be tried by many vicissitudes of hope and resignation. He escaped from the Tower — not without connivance, perhaps — but was re-captured at Lambeth, being discovered by the waterman who ferried him from the Temple — his gigantic stature alone having sufficed to make him a notorious personage among the people. He was reconducted to prison and tried. And here we are tempted to dwell a little more on the closing scene, because we cannot altogether share in Lady Theresa's view of it, and think the case of Lord Capell one in which natural sympathy with a sufferer, and a distinguished ancestor into the bargain, has led her to do a little less than justice to his opponents.

Lord Capell's defence arose out of the transactions which took place between Fairfax and the Royalist generals at the surrender of Colchester, which, he argued, amounted to a guarantee of his life. Lady Theresa, adopting that defence, brings forward as a somewhat parallel instance the case of Marshal Ney. We will not here urge the considerations, that the Marshal's plea of the 12th article of the Convention of Paris was, as Lady Theresa herself observes, a mere after-thought — that impartial judges have, we believe, repudiated it — and that the Duke of Wellington's stern and short solution of the difficulty seems the only practical one — such conventions bind none but those who make or ratify them. But in truth the two cases seem to us entirely different. The 12th article of the Convention to which Marshal Ney appealed, undoubtedly did profess to guarantee life. The surrender of Colchester was simply a surrender at discretion. Lord Capell relied, not on the terms of the surrender, but on the language of a letter of the general, Fairfax, which he regarded as qualifying that surrender. Now, not to mention the absurdities which would follow from considering the expressions of mere personal correspondence as modifying solemn documents, Fairfax himself plainly did not so understand his own language. His own letter to Parliament, announcing the surrender, and written before any question had arisen as to its extent and meaning, was perfectly distinct: 'As for the Lord Goring, Lord 'Capell, and the rest of the persons rendered to mercy, and now 'assured of quarter, he did render them to Parliament for public

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'justice and mercy as they should see cause.' This letter was read in Court on the trial, and in strict justice could not but be conclusive. That the Court, therefore, still strained a little at the objection raised by Lord Capell, and ultimately, while it condemned both him and Norwich, referred their fate, as well as that of Lord Holland and others, back to 'the mercy of Par-'liament,' is really in fairness attributable to the influence of their many friends, and to the little appetite for blood of the republican party in general, and not to any consciousness that wrong had been done.

The reference to Parliament was a protraction of anguish. To one prepared to die, it would have been almost better to face the appellate decision of a body of determined enemies, than that of a wavering assembly of irresolute and comparatively careless party-men, few desirous of his blood, but many indifferent to it, and most of them chiefly anxious to keep on good terms with the ruling faction. The destiny of every man comprised in the sentence seemed to hang on the chance of a compromise between their several partisans, 'striving to cast away those they were 'not concerned in, that they might save their friends.' Lady Theresa, following Clarendon and other secondhand authorities, has not quite accurately reported the particulars of this sitting of the House.* Lord Norwich, she says, was saved by Speaker Lenthall's casting vote, Lord Holland condemned by the same, the petition in favour of Lord Capell rejected by three or four votes. The first of these statements only is correct, as the Commons' Journals show. The petition in favour of Lord Capell was negatived without a division. His fate was sealed, if Lord Clarendon is to be believed, through the staunch hatred of Ireton, backed up by a hypocritical speech from Cromwell—but Clarendon's authority is worth very little in this case; as we think Lady Theresa should have remembered, before she fixed on the Protector in particular 'the stain of unjust judgment, 'the uncalled-for, unmerited, and unmerciful condemnation of 'Lord Capell.'

'Thus died Lord Capell,' says Carlyle, 'the first who com-'plained of grievances; in seven years' time there are such 'changes for a man; and the first act of his drama little knows 'what the last may be.' His death was emphatically that of a Christian and a hero. Though to the last maintaining the in-

* Vol. ii. p. 118, &c. Why does Mr. Carlyle, in his version of the same story — unless it be for his favourite purpose of introducing a picturesque touch — call it 'a thin house?' A division of sixty was rather a full one at that time.

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justice of his condemnation, he bore himself as one who had no remembrance for his own wrongs; who had sacrificed all, even to his own personality, in absorbing devotion to a cause. Several accounts of his last moments are cited by Lady Theresa; Bishop Morley's in the State Trials, Lord Clarendon's, from hearsay of course, and reading too like a piece of classical composition; that published 'by authority,' to gratify the popular craving for last dying speeches; and Whitelocke's, short and impressive; but all concur in the main features; the brief and almost stern abruptness of the old soldier,—the simplicity of the hero, utterly unconscious that he had a part to perform,—the devotion, which neither vented itself in rhetorical forgiveness of enemies on the one hand, nor, on the other,

> 'Call'd the gods, in vulgar spite,
> To vindicate his helpless right,'—

but was fixed first on the great coming account, and next on the sure prospect of passing at once from a suffering cause and Church to the same cause and Church triumphant. 'Lord 'Clarendon's conclusion needs no comment, nor admits of any 'addition: "He was a man that, whoever shall after him '"deserve best of the English nation, can never think himself '"undervalued when he shall hear that his courage, virtue, '"and fidelity is laid in the balance, and compared with that of '"Lord Capell."' (Vol. ii. p. 157.)

Like most of the great royalists of that day, he was scarcely fortunate in his issue. The vein of rich ore in his lineage seemed arrested by a sudden 'fault.' Cashiobury Abbey Lands, thought some, claimed their expiatory process of misfortune, not completed by the hero's violent death. His eldest son, the first Capell, Earl of Essex, perished miserably and mysteriously in the Tower. His daughter, Theodosia, married Lord Cornbury, afterwards second Earl of Clarendon; she died very young, and her death is the subject of one of the best authenticated stories of Scottish second sight on record; it is to be found in the correspondence annexed to Pepys's Diary. Henry Capell, the other son,—a successful personage enough, but certainly not through the steady adherence to an unfortunate cause which had distinguished his father,—was childless. We need not remind our readers of the dispersion of this temporary cloud on the fortunes of the house of Capell, nor how, as has been already noticed, much of the inheritance of Hyde himself ultimately passed to the female descendant of his own illustrious friend.

We must confess that we cannot so readily adopt Lady Theresa's taste in the choice of the third member of her triumvirate

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as one of the *élite* of the Chancellor's list,—namely, that most wet-brown-paperish of noblemen, to use a phrase of Horace Walpole, William Seymour, Marquis of Hertford, and Duke of Somerset. The Muse of History certainly has a malicious pleasure in mocking her sister of Romance. The situations in her narratives, which are the most enchanting to the novelist, are generally filled by the most common-place of mortals. The history of William Seymour's ancestral fortunes, and his own, resembles one of those great Trilogies in which Greek genius conducted a connecting Fate through a series of generations. Great grandson of the daring Protector, grandchild of Edward Seymour and Katherine Grey, whose hapless union was blasted by the persevering jealousy of Elizabeth, himself the offspring of a second unhappy marriage, and of an unjustly persecuted mother, he became at nineteen the hero of that touching episode which connects the kingly tragedy of the Stuarts with the drama of his own line. 'The loves of William Seymour and Arabella 'Stuart, the secret marriage, the discovery, the imprisoning, the 'flight, and its disastrous consequences, would supply ample ma- 'terials for one of those popular tales where historical events 'form but the skeleton on which feelings, motives, words, and 'even added incidents, are wrought according to the taste and 'skill of the writer.' Once more, after many years of seclusion, he was called to a post where the eyes of the world were fixed upon him; called to save, if possible, from the consequences of its own misgovernment, that royal race which had visited him and his house with so much relentless tyranny. He held a high military station in the army of Charles I., attended him with unwearied loyalty in his last vicissitudes, was one of the four (the Duke of Richmond, Earls Southampton and Lindsay being the others) who obtained permission of the ruling powers 'to per- 'form the last duty to their dead master, and to wait upon him 'to his grave,' bore his coffin from his bed-chamber at Windsor to the vault of Henry VIII., and lived to pay homage to that sovereign's restored son, and to receive such reward as could be bestowed on his constancy in the removal of the bar of illegitimacy arbitrarily drawn across his father's scutcheon by Elizabeth, and the restoration of the dukedom forfeited by the Protector.

And yet, as we have said, the subject of this lofty story was but a very ordinary being, amidst events which turned men of vulgar fortunes into heroes. He seems to have sauntered through his eventful times,—yet, what an age of thoughts and passions was experienced by one who knelt at the feet of Elizabeth at his introduction into life, and of Charles II. before quitting

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it, — taking nearly as little share as he could help in the mighty changes which were going on in society around him. Cowed into servility in early life, he settled, after a brief period of aristocratic liberalism, into a steady loyalty, quietly brave, and respectably conservative, but with as little real appetite as might be for either fighting or politics, or anything else but his books and his ease. Even his boyish amour gives little evidence of genuine feeling. At the very time when his unhappy Arabella, in the only letter to her husband which has been preserved, breaks into the tenderest expressions of passion, and assures him that 'nothing the State can do with me can trouble me so much as 'the news of your being ill doth;' he is content to represent to the Privy Council his own attachment as of a much more business-like character, 'myself being but a younger brother, 'and sensible of mine own good, unknown to the world, of mean 'estate, not born to challenge anything but my birthright, and 'therefore my fortunes to be raised by mine own endeavours, and 'she a lady of great honour and virtue, and *as I thought, of great* '*means*.' And, while the late Mr. Disraeli, inclining to the romantic side, set down these expressions of poor Mr. William Seymour to the score of 'dissembling his love,' Lady Theresa cruelly, we do not doubt justly, declares that 'there seems no occasion 'to search for hidden motives or disguised feelings by which to 'interpret his own very plain and straightforward explanation 'otherwise than as he gave it!' A year after his wife's miserable death, we find him a successful suitor, with the gracious permission of Majesty, for the hand of Lady Frances Devereux; and serving on for years more, though under 'many and continued 'disobligations from the Court,' in the various functions belonging to his rank and to the great estates which he inherited on succeeding to the peerage. We can scarcely make up our minds, with Lady Theresa, to admire the 'christian-like for-'giveness' exhibited by one who so evidently 'lacked gall to 'make oppression bitter.'

That Charles should have appointed to high military command one so utterly destitute of military qualities, at a time when the salvation of his crown depended on the latter, and that the appointment should have been popular, is only to be accounted for by that intense love of irreproachable mediocrity, in men of high lineage and good estate, which marks the English character — and which, as some say, has saved the English Constitution more than once from the danger it might have run at the hands of clever and low-born eccentricity. His command was distinguished by nothing but perpetual tracasseries with the King's unruly nephews, against whose encroachments, and the

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weak partiality of Charles, he had not sufficient personal force of character to defend with success his mortified dignity. Yet he stuck to the Court as long as a Court existed; and he, who had been Lieutenant-general of the West, and was still the first nobleman of his party, was finally worsted by the Queen in a contest for the important office of 'Groom of the Stole' to a monarch whose life was passed on horseback. His sterling qualities remain depicted, perhaps too partially, in the pages of Clarendon; but the only traces of romance which we detect in his career are, that he called his eldest daughter Arabella, probably to the mortification of her mother, the Lady Frances; and that at the siege of Weymouth, he thought proper to challenge his opponent, the Earl of Bedford, to single combat; an offer which the Parliamentarian leader 'reasonably declined.' Once only we find him placed in a situation where his steady, commonplace principle, amounted to dignity. This was when Cromwell made advances to him, relying probably on the traditional persecution of his house by the Stuarts. But all which the Protector's cajolery could draw from him was only reiterated advice to restore the heir to the crown, and assurances of safety in doing so. (Vol. iii. pp. 122, 123.)

The remainder of Lady Theresa's volumes is occupied with slight biographical and family notices of all the principal personages whose portraits remain at 'the Grove,' interesting especially as bearing on their alliances and connexions; for the Chancellor's family was distinguished, besides its famous union with the royal line of Stuart, by intermarriages with a great number of the highest, especially the courtly, families of the day. There is a fascination it is difficult to account for in such genealogical pursuits, when they are followed, as in these volumes, not in the spirit of a herald, but of an historian; and it is perhaps increased by the great complication of family changes characteristic of the period; the short duration of English houses, the transitory character of English honours, which are peculiarly striking when we trace the descents of titles and property under the Tudors and Stuarts. All is vicissitude in the annals of the great majority of eminent families of those days; a Romance of the Peerage, if vicissitudes constitute romance,—court favour and court enmity, civil and foreign war, personal thrift and extravagance, being constantly at work to make fortunes wax and wane,

> 'Come il volger del ciel della Luna
> Cuopre e discuopre i lidi senza posa.'

Out of all the noble company assembled on the walls of the

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Grove, our memory points out only four whose honours have descended from them to the present time in the male line — Burleigh, Pembroke, Capel, Arundel. Even a descent of four males in direct succession was comparatively uncommon. This unquestionable fact may be traced to several co-operating causes, — political changes being the most obvious; but the mischievous feudal habit of over-early marriages perhaps the most effectual. Undoubtedly, in heraldic eyes, our nobility stand, in this respect, far below the stately lines of neighbouring continental realms; of Germany, for instance, and even of France; still more of stationary countries, like Spain and Italy, where families can, in more instances than is commonly supposed, be traced with reasonable certainty back into ages of remote and fabulous antiquity. There is something which awes the imagination in those great autocthonic races, rooted in the soil like the mighty trees to which botanists now assign almost geological periods of life. In a remote canton of Tuscany there is a river, the Cecina, which has borne the same name ever since history began; and on its banks, as Mr. Dennis informs us, there flourished even from the beginning a family of the same name, until within the last twenty years, when it died out in the person of a priest. The rock tombs of the valley are full of urns inscribed with the Etruscan name of AULE CEICNA. The modernised Cæcinæ of republican and imperial Rome were a race tolerably well known to history; two are familiar to readers of Cicero, — one commanded against Arminius, — one in Otho's civil war, — one (Cæcina Pætus) was the husband of the courageous Arria. Decius Albinus Cæcina, of that ilk, occupied a villa on the banks of his ancestral river, when Rutilius, the poet, passed that way, A.D. 417. Two centuries ago it was still said of the family of Cecina on the same spot, 'nobilitate suâ 'viget;' and a Don Lorenzo Aulo Cecina was excavating Etruscan antiquities in 1740. This were indeed a descent to be proud of, if hoar antiquity conveys honour — a descent fit to dazzle the eyes of the antiquary, and make a pedigree in an English county history appear, in Johnsonian language, like the 'biography of an ephemeron.' But the course of English destiny, and the progress of our society, required this inferior durability in the atoms of which that society is composed. The rapid succession of properties and families in this country has been at once the effect and the cause of continual improvement — of the innovating and remodelling temper of our people, 'ever working something new.' As land is exhausted by repeated crops, so the law of nature seems to ordain that the inherited vigour of families shall generally die

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out by too long duration in the male line. Let us leave it to such writers as Spelman, and the successors of Spelman in the present day — admitting the fraction of truth which exists in their philosophy also — to designate such vicissitudes of titles and estates as visitations of Providence, whether on sacrilege in particular, or generally on rash and irreverent innovation; and let us believe, on the contrary, that these changes are among the very instruments through which Providence has raised this community to its present high position. The first House of Clarendon enjoyed its well-earned honours for even less than the ordinary period allotted to a family — dying out in less than a century from the first creation. Those honours devolved, just a century ago, on another line, of opposite political associations, which is even now in the full bloom and vigour of its destiny. *Absit omen*, and may they long preserve their dignity; connected as they are at once with the triumphs of the past and the hopes of the future, and owing allegiance, by separate descents, at once to the cause of conservatism and that of progress. But the natural prospect to which the previous course of English social history bids us look is, that they also shall decline whenever their day of usefulness is past, and another period in the march of human affairs shall call its appropriate actors on the scene.

ART. IX.—1. *A Letter on the Defence of England.* By SIR CHARLES NAPIER, G. C. B.

2. *Thoughts on National Defence.* By REAR ADMIRAL BOWLES.

3. *A few Words on the Militia Question.* By JOHN WILLIAM CROWE.

4. *Proposal for the Defence of the Country.* By JOHN KENWICK.

5. *National Defences.* By MONTAGUE GORE, Esq.

6. *The Invasion of England.* By an Englishman.

7. *Memoranda on the Necessity of a Secretary of State for our Defence in War.*

8. *Reasons for Rifle Corps.*

9. *The Rifle Musket.*

10. *Our National Defences in England.* By Baron P. E. MAURICE: translated by CAPTAIN ADDISON.

11. *The Rifle Club.*

12. *Observations on Commissariat Field Service and Home*

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Defences. By Commissary General Sir Randolph Isham Routh, K.C.B. Second Edition. London: 1852.

13. *A Bill to Consolidate and Amend the Laws relating to the Militia.* Proposed and brought in by Mr. Secretary Walpole, Mr. Chancellor of the Exchequer, and Mr. Secretary at War.

We cannot pretend, within the limits of a single Article, to discuss the merits, far less to analyse the contents, of the round dozen pamphlets of which the titles are prefixed to this paper. We should be sorry, indeed, to be put, under any circumstances, upon the accomplishment of such a task; for though we acknowledge to have read them all, it is but common candour to add, that we have derived very little either of instruction or entertainment from the exercise. Sir Charles Napier, to be sure, writing like an experienced soldier, carries us along with him in every page, even where his reasoning appears to be defective. And he will observe that it is defective in our estimation, only so far as he seems to expect more from undisciplined volunteers than they would ever be able to perform. For his remarks on the relative merits of the Rifle and the Musket, as well as the directions which he gives for the drill of volunteer corps, are excellent; they have our hearty approval. So has Admiral Bowles's *exposé* of the supineness of the Boards, which for thirty years back have administered the affairs of the Navy in this country; it is quite crushing. Nor must we fail to speak, in the terms of respect which are due, of the admirable little work of Sir Randolph Isham Routh, a perfect *vade mecum* for all officers undertaking to discharge the important duties of the Commissariat. But here our commendation ends. The rest either put forth crude schemes for organising a militia, or cry up the utility as well as the economy of Rifle Clubs, or state over again facts and arguments, with which the public memory must long ere this be overburdened, and which are the more unwieldy that, in nine cases out of ten, they are not facts at all, and as arguments altogether worthless. We think that, under such circumstances, we shall best consult both the wishes of our readers and our own convenience, if we confine our attention to a document—of the authenticity of which there can be no doubt; and of which the virtue will soon come to be tried.

There has not, in our opinion, been laid before Parliament since the passing of the Reform Act, except perhaps the introduction of Free Trade, a measure so important in every point of view, as that which Lord John Russell hastily abandoned, and his more confident, and in this respect more for-

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tunate successor, has taken up, modified, and carried. It will be understood, of course, that in thus expressing ourselves, we speak of the *principle* of a Defence Act, and of nothing more. The particular law which Lord Derby has given us may be open to criticism; and when the proper time comes, we shall take the liberty of pointing out some of the more serious of the defects with which it seems to us to be chargeable. But of the obvious necessity of placing a great and wealthy nation like this beyond the reach of sudden disaster, perhaps of invasion, possibly of dismemberment, whenever it may please a warlike neighbour to pick a quarrel with her, and strike home, no sane man, not being a member of the Peace Society, can, we should think, entertain a doubt. Other schemes, whether of finance or of commercial arrangement, as they address themselves in the first instance to class interests and party feelings, so they become in course of discussion mere party questions. Such were the great measures of Sir Robert Peel's administration; his substitution of direct for indirect taxation; his repeal of the Corn Laws, and consequent emancipation of trade from many of the restrictions under which it had previously laboured. These touched, undoubtedly, the very core of the State's well-being; but they did so through the sides of many deep-rooted prejudices, and bore hard upon the immediate interests of no inconsiderable portion of the community. Hence they were resisted upon their merits by many able and honest persons, of whom not a few, though they may have accepted a policy, which they now perceive to be irreversible, continue to be as little convinced as ever of its abstract fitness or wisdom. It is not so, nor ever can be, with regard to any measure which seeks only to place the nation in a state of defence against aggression from without. We may dislike the details of such measure, or some of them, and endeavour in a spirit quite free from partisanship to modify and improve them. But the principle on which the measure itself rests, if it be sound at all, is equally sound in its application to each of the parties and classes into which the nation is divided; for it involves a question of comparative security to all on the one hand, or of the continuous exposure of all to great risk on the other. There are, to be sure, persons who pretend to believe that no more wars will arise in Europe; others, that it is the duty of a Christian people to submit unresistingly to wrong, or even to conquest, rather than take up arms.* They, of course oppose every measure of defence,

* The pamphlet entitled 'The Rifle Club' seems to embody the views of this class of persons. It was quoted, as our readers doubtless

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as either uncalled for or sinful. But it would be ridiculous to speak of them as constituting a party, or even as belonging to a class. We doubt whether there be three men out of Bedlam who conscientiously embrace, on religious grounds, this pacific creed. The advocates of passive submission as a politic procedure may be rather more numerous, but are certainly not more wise. We repeat then, that in our opinion, no measure has been proposed to the Reformed Parliament of Great Britain and Ireland, involving so important a principle in itself, and at the same time so completely divorced from considerations of class interest, as the Militia Bill of the late Session. And in this same spirit, without any reference at all to party politics, but looking solely to the two points, first of its necessity, and next of its fitness, we are now going, with the reader's permission, to pass it under review.

And first, with respect to the necessity of increasing, by these or by some other means, the available defensive resources of the Empire.

Whatever deference may be due to the opinions of successive and rival administrations, there is no denying that they go to establish the fact, that some necessity of the sort has long been felt to be urgent. Whether a militia question in any shape was mooted, either in Lord Melbourne's Cabinet or in that which immediately succeeded, we are unable to say. If we were called upon to hazard an opinion, we should be apt to give it in favour of the agitation of some such matter; because it is past dispute that this country was never so near a war, without actually undertaking it, as during the interval when M. Thiers and Lord Palmerston were in correspondence about Mr. Pritchard's wrongs and the readiest means of redressing them. But however this may be, we know that Sir Robert Peel turned his attention to the subject as early as 1842, and that in 1844 he prepared a Bill, though he did not bring it forward, not very dissimilar, in its general features, to that which Lord Derby has carried. That Lord John Russell's feelings on the subject were at one time still stronger, he himself has shown, for he would take no refusal. Though checked in 1848, he returned to the charge in 1852, and resigned office in consequence of a literal, and not very important change in the preamble of the Bill which he offered for its acceptance. And now the

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recollect, by Lord Palmerston, in the course of the Militia Debate, and secured thereby a chance of notoriety which its merits never could have ensured to it. The writer, whoever he may be, ought to be very grateful, since he evidently covets the martyrdom of ridicule.

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Protectionists, following the same course, assure us, that they cannot be answerable for the safety of the realm unless a better system of military organisation be adopted. Moreover, they are so much in earnest, that they consent to all manner of changes in the requirements of their Bill, rather than give it up. It would be presumptuous to treat such unanimity of sentiment among cabinets, maintaining opinions on almost every other subject quite at variance, otherwise than with respect; for a measure of this sort is not one which any minister can be suspected of bringing forward for its own sake. It can have no tendency to render him popular out of doors, but the reverse. It throws no patronage into his hands, of which the smallest use could be made for party purposes. It adds something — it may add a good deal — to the public expenditure, and certainly interferes, to a greater or less extent, with private business. Can we imagine, that whether Peel, Russell, or Derby, sat at the helm of State, he would steer his vessel into so uninviting a channel, except upon compulsion? The idea is preposterous. The present Government may have exaggerated the amount of risk to which the country is exposed; and gone to excess in providing means to avert it; or the details of the particular scheme taken up and forced through may not be worth the time and labour that were required to carry it; but to attribute any except perfectly honest motives to the course of legislation which has given us our new Militia Bill, convicts, in our judgment, the parties so speaking or writing about it of indifference to the probabilities of the accusations they prefer.

But if legislation of this sort was really felt to be necessary, why should it have been so long deferred? We, the people of England, are now, so far as Europe is concerned, in the thirty-seventh year of peace. Other States have had their troubles, more generally domestic than foreign; we, since the battle of Waterloo, have never fired a shot in anger on European soil, or in European waters, except at Navarino, and that was a blunder. Differences have unquestionably sprung up more than once between us and our neighbours. The affairs of Tahiti, of Acre, and latterly our Don Pacifico feud in Greece, all looked sufficiently black in their turns, and on the authority of the late king of the French, we are told, that the project of an English invasion was one time, at least, seriously considered in Paris. What then? No rupture ensued, no invasion took place; but wise diplomacy did, what it always will do, what indeed it is paid for doing, and without doing which it ought not to be paid; it reconciled the differences between France and England, and saved a great deal of expenditure of blood and treasure to both parties.

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What is there, therefore, we are asked, in the present aspect of affairs, to induce a persuasion that cabinets and nations will prove more unreasonable in times coming than they were in times past? or that if we do unfortunately get to loggerheads with France, or with any other country, we shall be unable to make matters up again, without fighting?

This is a question which has often been put, with a great air of triumph, both in Parliament and through the press; but in truth it is a very unmeaning one; for whatever the terms may be in which we answer it, they prove nothing either way. There is no reason, which we can immediately point out, why matters should not go on for fifty or a hundred years exactly as they have done since the peace of 1815; but there is quite as little reason why they should. And suppose they were not so to go on, what follows? When I purchase a policy of insurance, I do so, earnestly trusting that the fire or the hurricane, from which I cover my house or my vessel, shall never overtake it. And year by year, on the renewal of the policy, my feeling is one of thankfulness that as yet the office has not been called upon to pay; certainly not of grudging because so much of my own money has been sunk. Nor am I less likely to take this view of the case if it turn out that on one or two occasions my house has had a narrow escape from burning, or my ship from being cast away. So it is with a nation, and its means of defence in case of war. These are kept up in the hope and with the view of deterring other nations from drawing the sword; and happy are both the people and their government, so long as they find that the means are adequate to secure the desired end. But other nations, in spite of all our efforts to the contrary, may draw the sword; and then where shall we be, if it shall prove that ours, just when it becomes necessary to appeal to it, is either stowed away in some far off garret, or grown so rusty in the scabbard, that we are unable to pluck it forth? *Aptare in pace idonea bello*, was once proverbial wisdom.

But it is denied that either now, or at any previous period since 1815, this country has ever been incapable of defending itself if attacked. Who makes this denial, or in what sense is it made? If the *laudator temporis acti* mean to say, that England has never been in such a state, as that, with fair warning given, she would have proved incapable of engaging successfully in war, we perfectly agree with him. England has been richer and more populous any time between 1815 and 1852 than she ever was previously to the former of these periods. Her people are, and always have been, hardy, robust, and brave; her resources are inexhaustible. Give her time to apply these resources, and to discipline the valour of her sons, and the

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objector is right,—she need not fear to stand against the world. But is it probable that the Power, whatever it may be, which has resolved upon breaking with her, and going to war, will announce the intention before acting upon it, so as to afford her the opportunity of effecting these objects? Quite otherwise. The respectable practice of sending forth heralds, and throwing spears into the country against which public wrath is kindled, has long fallen into disuse. Modern diplomacy makes far shorter work of bringing quarrels to a head, than of patching them up again. If war be desired, it is a word and a blow with the party desiring it, and woe to the nation which is not ready to ward, and prompt to return it, when delivered. Look back but a little way into history. Napoleon had no just ground of quarrel with Spain in 1807, and did not pretend that he had any, till he filled the country with his troops, set aside the Bourbons, and placed his brother Joseph on the throne. The same Napoleon, in 1812, issued no declaration of war against Russia, till he stood, with 500,000 men at his back, on the frontiers of Poland. And certainly the French generals who undertook, a few years ago, to march to London in ten days, never contemplated any such preliminary arrangements, as gentlemen of the Manchester and Peace Association schools hold to be if not indispensable, at all events customary and polite in such cases. It is idle, therefore, to assume, that because her latent might may be adequate to any demand which is likely to be made upon it, England is, and always must be, in a fit state for sudden war. A giant has little to fear from the hostility of a dwarf, so long as both parties are awake, and have full command of their limbs. But let the dwarf catch his gigantic adversary napping, and what will the superior strength of the sleeper avail against the dagger of the waking man?

It is not, however, of her latent might, that the politicians profess to think, who set themselves against making any addition to the defensive preparations of this country. They assert that her regular fleets and armies are sufficient, and more than sufficient, to guard England against the attacks of any foreign enemy whatever. Indeed their cry is for reduction, and especially in the army; which they would withdraw entirely from the colonies; and of which, they calculate, that if it were concentrated at home, a fourth part, at least, might be disbanded, without in any degree detracting from the amount of force now disposable in case of invasion. At the same time, they hold the idea of invasion in utter scorn; speaking of it as a bugbear, with which superannuated generals and admirals seek to frighten silly people; and wondering that any reasonable person,

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not being an officer of the army or the navy, should give to it one moment's consideration.

We are always happy in listening to the eloquence of Mr. Cobden, Mr. Bright, and Mr. Milner Gibson, when they address themselves to the discussion of subjects which they may be supposed to understand. We cannot, indeed, go along with them invariably even then; but they must excuse us for avowing that when a question of military preparation, involving the safety or the ruin of the country arises, they are the very last people in the world to whose judgment we should be inclined to defer. They are all, but especially the two former, men of one idea. They can see no interests beyond those of buying and selling, and believe that the world is to be managed on strictly commercial principles. But, do Messrs. Cobden and Bright really believe that the passage of the British Channel by a French army of twenty, forty, or even of a hundred thousand men is physically impossible? and if it be not physically impossible, are they so very simple as to imagine that the order once given, twenty, or forty, or even a hundred thousand French troops would hesitate about making the attempt, even if the preparations on our side to resist the invasion were far more complete than they have been at any given period between the years 1815 and 1852? It is needless, we are aware, to refer the member for the West Riding and the representatives of Manchester to the Duke of Wellington's opinion on these subjects. His Grace's letter, — which all the world besides read with respect, even if here and there an individual ventured to hope that the picture might be somewhat over-coloured, — one of these gentlemen has derided as 'obsolete;' and it is but natural that they who pretend to sneer down the greatest commander of the age, should be little disposed to listen to the sentiments of other British officers. But will they equally resist the evidence of foreigners against themselves? We recommend to them the perusal of Baron Maurice's pamphlet: they will find there, besides a plan for the conquest of England (of which, in our poor opinion, it is too much the practice even in military circles to speak slightingly,) ample proof that the matter, which they are pleased to pooh, pooh, is not considered a dream or an impossibility on the Continent. Plans for the invasion of England appear, on the contrary, to have occupied the thoughts of statesmen and soldiers in all the continental nations, the whole of whom regard the measure as practicable, whether their feeling towards us be friendly or the reverse. The plan submitted by Carnot to the Directory was noticed in this journal, July 1808. Now a measure

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which men hold to be practicable, some of them are pretty sure to attempt whenever the inducement becomes adequate, and the opportunity inviting. And though we trust that no occasion for making the attempt will ever be found, still our confidence on this head would be strengthened fourfold, were we quite sure that there were at hand means of defeating it, or, at all events, of destroying the force which should embark on such a service, ere it could find time to inflict any serious damage on this country.

We confess, however, that our hopes are not very sanguine that the testimony either of Baron Maurice or of General Changarnier, or of any other foreign statesman or soldier, will carry more weight with our friends of the Manchester school than the opinions of the Duke of Wellington. They will doubtless persist in setting up their own judgment against the world, and clinch their argument again, as they have done already, by affirming that if the worst come to the worst, the country is sufficiently protected by her regular fleets and armies. What they desire to have accomplished is this, that all our colonies, not being strictly military posts, shall at once be denuded of troops; and such a redistribution of the fleet take place as shall secure in the Channel, force enough at all times to render hopeless any project of throwing an army, either with the strong hand or by surprise, upon the shores of England. There is some plausibility in this device, but nothing more; as a little sifting of the facts on which it appears to rest will show.

To begin with the army. It would be unfair to estimate the comparative strength of the force employed at home and abroad according to the standard of the current year. The war at the Cape has increased the latter force by fully six thousand men. But if we revert to the returns for 1850-51, we shall find, that there were then in Great Britain and Ireland, 59,398 infantry and cavalry, of which 33,568 were in Great Britain, 25,830 in Ireland. The colonies absorbed 39,730, independently of India, where 30,497 found employment.

For our present purpose, the army in India must be left wholly out of the question. We could not keep that rich possession a day were these 30,000 men withdrawn; we should not probably keep it a year, if the force were seriously diminished. The military material with which we have to work is thus reduced to 39,900, or say, in round numbers, to 40,000 men. Now before we take a single step in advance, we must ascertain what proportion of these 40,000 men, if any, require to be thrown aside from our calculation. For probably our Manchester friends do not wish to saddle their own parishes with the families

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of soldiers enlisted exclusively for service in the colonies; much less to taint the pure breed of Lancashire with any engrafting thereon of buds from a Negro or Malay stock. From our 40,000 men must, therefore, be deducted in the first instance,

West India regiments	8
Canadian Rifle corps	1
Newfoundland veterans	1
Malta fencibles	1
St. Helena regiment	1
Cape Mounted Rifles	1
Ceylon Rifles	1
Total of regiments	9

of which the collective force appears to be about 7000 men.

Our 40,000 men being thus cut down to 33,000, it becomes necessary to consider next how even these are distributed, before we can be in a condition to determine in regard to their applicability for purposes of domestic service. And here we find that eight stations, all of them coming strictly under the head of military posts, absorb, on a very inadequate peace establishment, not fewer than 22,740 men. Say that we thus dispose in round numbers of 23,000 men, we shall have left exactly 10,000 to play at ducks and drakes with. But as we have not included under the head of military posts, either the Windward or the Leeward West India islands, the British stations on the west coast of Africa, Canada, Nova Scotia, St. Helena, or New South Wales, our readers must judge for themselves how far it would be prudent, under existing circumstances, to bring home the whole of the 10,000 men of whom we have just spoken as available. Are they prepared to throw Canada and Nova Scotia altogether on their own resources? to commit the safe keeping of the West India islands to a black police? and to entrust the lives of our honest settlers in Australia, as well as the important royalties which have been too much neglected there, together with the wool farms so essential to the domestic industry of England, and fisheries, of which the full value has yet to be discovered, to the tender mercies of runaway convicts, of the offscourings of America, and the forbearance of half-civilised native chiefs? If they be not, and we are inclined to think that they will not be, there is an end of the Manchester argument at once. You have not 10,000 or 1000 men to dispose of. But supposing their views on this matter to be different from what we assume, still difficulties remain out of which we at least see no means by which they are to extricate themselves. The garrisons of Gibraltar, of Malta, of the Ionian Islands, and Hong-Kong, are all set down in the army esti-

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mates at a figure which would be manifestly out of character were war seriously to threaten. Instead of 2934 men, Gibraltar requires six or seven thousand to man the works imperfectly. Malta, which has now about the same strength of garrison with Gibraltar, would require reinforcements at least equal in amount; while in the Ionian Islands, if we are to retain them at all, we must station, certainly not fewer, probably a still larger amount of troops. Thus, three European posts, the loss of any one of which must seriously affect our position as a maritime Power, would, of themselves, make an immediate demand upon us for the total amount of force, to which we are told to look as furnishing additional means of defence at home. In the event of sudden war, should we be able to meet such demands? But this is not all.

No procedure can be more delusive than to take up a printed return of the numbers of troops stationed anywhere, but especially at home, and to argue from it as if you were thereby exactly informed of the strength of the army which is available for operations in the field. Of the 60,000 men described as doing duty in 1850-51 in Great Britain and Ireland, probably not more than 50,000 were effective, and of these a large proportion, perhaps a fifth part, were recruits not yet dismissed drill. Say, however, that you had 45,000, or even 50,000 men disposable, and that either more matured reflection had induced you to abandon the project of bringing home the garrisons from your colonies, or that war broke out so suddenly as to render the operation impracticable — what are you to do with your 50,000 men. The dockyards must be protected, the Channel Islands garrisoned, and the few strong places which exist in the United Kingdom occupied. It would take at least 30,000 men to do this imperfectly in England and the Channel Islands alone; if you look to Scotland and Ireland at the same time, probably 50,000 would be required for garrison duty. Where are they to come from? To be sure there are 16,000 enrolled Pensioners, of which, probably 12,000 are as well qualified for this species of service as any troops in the world. And the Dockyard Battalions, though their time must be too valuable for employing them at such a crisis in guard mounting, and so forth, would always be at hand, in the event of an attack, to give battle. But estimating the services of both descriptions of force at the highest, it will still appear that so far as operations in the field are concerned, the assistance which they can undertake to render is very small. The Pensioners will indeed set at liberty 12,000 troops of the line; the Dockyard Battalions cannot liberate a single man; for from the hour the war begins, their presence in the yards will be required day and night, which they can abandon only when

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the enemy is at the gates. Now 12,000 added to 50,000, gives a total of 62,000, and no more, which, after providing for the occupation of all the garrisons in the United Kingdom, will leave you exactly 12,000 wherewith to march against the enemy. And even this, be it observed, can be accomplished only on one point. You may have a field force of 12,000 men either in Great Britain or in Ireland, but you cannot have it in both; for the aggregate of both armies—the British and the Irish—including Pensioners, gives us 62,000 men, and no more; and of these, 5000 at the least will be cavalry.

But this, we shall be told, is not a fair statement. Sir De Lacy Evans has shown, that inclusive of marines, metropolitan police, coast-guards, Irish constabulary and yeomanry, a larger army than the Duke ever commanded in the Peninsula, may be brought together. We confess that such a statement coming from an officer of General Evans's character and experience surprised us greatly. He speaks of 5000 Marines as the portion of that fine force now doing duty on shore, and assumes that by a stroke of the pen they may be transferred to the land army. Of course they can, if such be the pleasure of the Government. But would they not be much more usefully employed on their own element, in war-steamers, or steamers transferred from the mercantile to the naval service; wherewith an enemy might be prevented from approaching our shores, or, should this unfortunately prove impossible, could they not be so placed that by means of them the invading force might be cut off from communicating with its own country? And as to the Metropolitan Police and the Irish Constabulary, surely the gallant member for Westminster forgets that they are neither of them soldiers; that you have no more right to march Sir Richard Mayne and his people, with muskets over their shoulders, to the coast, than you have to enrol and regiment the beadles of London, or to convert the parish constables of Surrey and Sussex into a brigade of light infantry. Observe, then, the inconsistency into which the General's zeal has hurried him. He counts upon the London Police and the Irish Constabulary for military service, on the sole ground, we presume, that they are enrolled bodies of men. Why does he not go farther? Are not the hackney coachmen and cab drivers, the railway police and porters, the fire-brigade, the coal-heavers, the scavengers, nay, the London victuallers themselves, all enrolled in like manner, and registered too? Why not regiment them, and march them to the coast wherever danger threatens? We have no doubt that most of them would turn out quite as readily; we are sure that you have precisely the same right in law, to turn them all out armed and accoutred, as you have to make soldiers

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of the Metropolitan Police; but this is not all. When General Mayne and his army march out of London, who are to take care of the lives and properties of the citizens? Has not Sir De Lacy Evans seen enough of war to teach him, that not the least terrible of the consequences of an invasion would be the bringing forth from their lurking dens of all the desperate characters in the country, and the probable commission by them, however watched, of excesses quite as horrible as the worst that could be apprehended from the foreign invader. Has he ever read what happened in London, after the landing of William of Orange; not from Dutch soldiers, but from English thieves and incendiaries, who seized the opportunity of a brief suspension of government eagerly to prosecute their respective callings?

It appears then, first, that you have no right whatever to employ a single policeman as a soldier, except upon his own voluntary offer; and next, that were the whole body to volunteer their services, it would be imprudent in the extreme to employ them in the field. For the immediate consequence of their removal to a distance would be, that the duties of watch and ward, and of constabulary patrol, would devolve, both by night and day, upon the citizens; who would not only discharge it very inefficiently, but soon growing weary of the labour, would cease to discharge it at all. No doubt, the Metropolitan Police might afford considerable support to the army, were an enemy at the gates of London, and barricades choking up our streets. So at such a crisis, would every Londoner with the heart of a chicken in his bosom, to the best of his ability. But this is not what we want. We desire to meet the enemy, to fight him, and to beat him, before he shall have reached either Hyde Park or Hackney; and to enable us to do this, the Metropolitan Police must not be reckoned upon. Neither may we take into account the Irish Constabulary, magnificent, as regards both their *physique* and *morale*, as we admit them to be. Though accustomed to the use of arms, and invaluable for the sort of half-military duties which fall to their share, they could not, with any regard to the internal peace of their own country, be withdrawn from it; indeed, we question whether it would be possible to concentrate any considerable portion of that force even in Ireland itself. For how, in this case, are outrages to be prevented, which even now, with posts everywhere, and roads continually patrolled, occur but too frequently? As to bringing the whole 12,000 across St. George's Channel, no sane man would, under any circumstances, propose to do so. You could as easily march Sir R. Mayne to meet a French army on the

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shores of Bantry Bay, as bring Colonel Macgregor to reinforce the corps with which you should propose to fight a battle on Barham Downs or at Hastings.

The Marines, the Pensioners, the Metropolitan Police, and the Irish Constabulary being thus disposed of, it remains to speak only of the Coast Guard and the Yeomanry. And of the former it may suffice to observe, that the same line of argument which applies to the Police applies to them. The Coast Guard have special duties to perform. They are scattered along the sea-board in time of peace to prevent smuggling and the damage which it works to the revenue. Their services, in this respect, would be quite as necessary in the event of war, and there would be other and more urgent calls upon them. After hostilities commence, the whole seaboard becomes exposed to the risk of sudden descents, for purposes, not of conquest, but of plunder and general annoyance. During the late war we had sea-fencibles every where, commanded by officers of the navy, whose duty it was to keep a look-out all round the island for privateers. We should certainly not be able to dispense with similar precautions now, when steam has added so much to the facilities for sudden attack and rapid retreat in maritime warfare. Instead of withdrawing the coast guard, in order to reinforce the army in the field (an arrangement against which, by the way, the Lords of the Admiralty would probably protest) we should be obliged to add to its numbers. For batteries are useless unless there be practised gunners to man them; and as we cannot tell which of our coast batteries is likely to be brought into operation first, it would hardly do to have any of them, especially at the outbreak of a war, without a few trained marksmen to lay the guns and fire upon an enemy.

With respect, again, to the Yeomanry; as it is altogether a cavalry force of a somewhat heterogeneous description, and very imperfectly drilled, we cast no slur upon either the courage or the patriotism of its members when we say, that against a regular army, and for operations in the field, it is not very much to be reckoned upon. In the first place England, especially in the South — where if assailed at all, it is most likely to be assailed — offers many obstacles to the employment of masses of horsemen; the inclosures are frequent, the woods many, the general shape of the ground is undulatory and much broken. The best cavalry in the world could do very little upon it, and bad cavalry could do nothing. At the same time our yeomen would make capital Cossacks; their knowledge of the country, and their habits of crossing it after the hounds, would enable

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them, in small parties, to harass an enemy's convoys and to straiten his foragers. But they could not stop the march of one weak column of infantry, and against artillery and regular cavalry they would be helpless. Besides, how many of our gallant yeomen could be got together on a sudden and at one point? When Bristol was in the hands of a mob, in 1831, it took a day and a half to collect forty or fifty yeomen from the parishes in the immediate vicinity and to march them to the rescue. How many of the Durham, or Northumberland, or Yorkshire squadrons would show themselves in Kent and Sussex within a week after the enemy had landed? And long before a week 20,000 men, in the state of preparation in which we were six months ago, would have marched from Lydd or Pevensey to London and laid it under contribution. We should be sorry to speak, or to be thought to speak, slightingly of the yeomanry cavalry of England. It is a very useful force in its own way, —and to the utmost extent of its means, would render the occupation of any portion of our native soil extremely uncomfortable to a foreign enemy. But when statesmen come gravely to calculate the amount of force which is disposable in order to meet an invader, with any prospect of stopping him midway between the sea-coast and the capital, they will do well to lay the yeomanry cavalry altogether out of view.

It will be said that in dealing with this part of our subject, we have made no reference whatever to Artillery, which is an important ingredient in the composition of all armies, and especially of one which is to act on the defensive, and at home. True; and the omission has not been unintentional on our parts. The truth is, that nobody seems to be exactly aware what the strength of our available artillery is. General Evans has taken it at a hundred guns, and quoted Sir Hew Ross in support of his statement; Sir Hew, however, contradicts the member for Westminster, and declares that the artillery may be able to bring eighty guns into the field, but not more. Whereas Colonel Chesney, who appears to have well considered the subject, affirms that fifty-two are all that can be counted upon, and that even of these the equipment is by no means perfect. Now, if it be necessary to the proper working of artillery in the field, that the guns and waggons shall be drawn by well trained horses, that there shall be waggons enough and to spare, with wheels and carriages as many as the demands of a regular campaign are likely to require, Colonel Chesney, we suspect, is right. But allowing, as some of our most experienced officers do, that with less than this an invasion could be met, then we are ready to go beyond Sir Hew Ross, and to accept General Evans as an au-

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thority. Suppose, then, that there are a hundred field guns and howitzers at Woolwich and elsewhere; with all the necessary appointments of harness, ammunition-waggons, forge-waggons, spare-wheel-waggons, &c., and men enough sufficiently drilled to work them;—and assuming that as regards draft we have only to lay hands upon the carriage-horses of the aristocracy, or to strip half the omnibuses which ply in the streets;—there still remain certain grave points to be considered. What will a hundred guns do in any part of Europe, if there be but five or six thousand infantry or cavalry to protect them; and how shall we, in particular, work one hundred guns, thus unguarded, in the south of England, where cover for skirmishers is so frequent and so good, that even against the old-fashioned regulation musket, a duel between artillery and infantry would be all to the disadvantage of the former? Do not let us be misunderstood. There can be no question in regard to the propriety of supplying the force which in the event of invasion is to cover London, with a numerous and well-appointed artillery. And forasmuch as the education of an artillerist is a tedious process, we should advocate, in the event of any increase to the regular army, an addition to this particular corps in preference either to infantry or cavalry. But it requires no minute acquaintance with military affairs to understand, that artillery by itself can do nothing. If we are ever induced to send a hundred guns into the field, under the protection of five thousand or even ten thousand infantry and cavalry, we may lay our account with having the whole park captured, and our little army put to the rout, supposing it to risk an action with twenty thousand infantry as good in every respect as our own.

It appears then, that taking our disposable artillery at the largest figure which has been assigned to it, and making as much as possible of Pensioners, Police, Constabulary, Dockyard Battalions, Coast Guards, and Yeomanry Cavalry, we should have found it impossible, a few months ago, to stop the march of even 20,000 men upon London, supposing them to have effected a landing any where along our shores. For though it be true that we may have had more than twice 20,000 of all arms in the United Kingdom, and that by means of railroads most of these could be brought to the Metropolis in time, such a concentration could have been effected only by abandoning every other town and fortress to its fate, and leaving Ireland utterly defenceless. Consider also the extent and nature of the inconvenience to which the whole community must have been put in order to effect this object. It takes a good many carriages and trucks to transport 1000 infantry with their arms, light baggage, and

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ammunition. It would take still more to accommodate 500 cavalry; and quite as many to contain 20 guns, with their horses and waggons. How and whence are the necessary carriages to be provided? Will it be wise, on the first alarm, to call up to London from Bristol, Manchester, Preston, Newcastle, Edinburgh, Glasgow, Aberdeen, &c., the necessary means of transport for 25,000 men, with the guns, waggons, and stores of every sort which are required to render them effective? Or shall we content ourselves with laying an embargo at each station on carriages sufficient for the accommodation of the troops which are stationed near it? In either case you interrupt at once all the internal communications of the country. There could be no further correspondence between London and the provinces, except by telegraphic despatches, or by some small mail train despatched once or twice a day. Business would be entirely stopped; for railway carriages are useless without stokers, engine men, and guards; and we do not think that any of our companies is so rich in its officials as to be able to carry on its ordinary operations with a full set of its people in reserve. Moreover, when we have from 25,000 to 30,000 men, with horses, guns, &c. in London, where are we to find the means of sending them out of it again, along any one particular line or even by two parallel lines? By continuing our embargo, it will be said, and transporting from Euston Square or Paddington every truck and stoker, as we march our troops, to London Bridge or Waterloo Bridge. Be it so, but in this case you must persist in stopping trade indefinitely; because, having employed all the railway lines at your disposal to carry the troops to the point where the enemy is expected, you will never have the cruelty, after shooting men and horses out, to abandon them. Indeed, we have read somewhere, that one of the great advantages of railway communication is, that it renders 10,000 men as good for purposes of defence as twice the number can be for offensive purposes. The 10,000, we are told, after fighting for a while, have only to mount their railway carriages, and steam back to a second and third position; which they may maintain, as they did the first, as long as shall be judged expedient, having at all times the means of a safe and speedy retreat within their reach. We put it to our readers whether in all their reading they ever met with an assumption so ludicrously inadmissible as this? Think of a train laden with 25,000 men, 100 guns, 5000 horses, ammunition waggons, forage, provisions, stores, —and heaven alone knows how much besides — beginning to make its exit from London Bridge and pursuing its course towards Dover? Why the tail of the procession would have

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scarcely reached Greenwich, when the head was at Ashford — so that instead of bringing your force in a compact body into action, you would render inevitable its entire destruction in detail; for we defy you to get back again. Besides, what is to become of the internal commerce of the rest of the country all the while, seeing that you have managed to jam up and expose to certain destruction, between Greenwich and Ashford, all the steam-carriages, engine-men, stokers, and other servants of all the railway companies in the kingdom?

The truth is — and it is folly to hide it from ourselves — that steam traffic on shore, however valuable it may be to the Power which has determined to act aggressively, is not only useless, but is, in some measure, hurtful, to that which is compelled or makes up its mind to act purely on the defensive. The former, encouraged by the feeling that means of transport to his own frontier are direct and ample, will mature his plans at leisure, and get everything into a state of complete readiness ere he utter so much as a threat. The latter, however strong his suspicions may be, can make no preparations except generally. If, indeed, as in our own case, the sea interpose between him and his neighbours, he may crowd his own harbours with steam frigates, and keep a constant and sharp look-out into the harbours on the other side of the Channel; but as far as regards the chances of a contest by land, he must be in a state of perfect suspense to the last. He cannot possibly tell where the blow is to fall. To centralise his army, therefore, anywhere except in the capital, would be absurd; to disseminate his forces, with a view to observe different points at the same time, would be fatal. But suppose him to have collected a stout army in the capital, and to have made arrangements for sending it forward, in detachments, to certain positions, which have been carefully selected, to the east, to the west, to the north, to the south, — is it quite certain that the enemy will give him an opportunity of justifying the wisdom of these selections? We should think not. An enemy desirous of striking at London will make his approaches by roads which are as far as possible removed from all lines of railway. Say that he has succeeded in effecting a disembarkation in Folkstone Harbour, or at Dungeness. If he land in sufficient force he will probably mask Dover, or make himself master of it, which, in the present state of its defences, would be no very hard task; and then marching by the old coach road through Canterbury to Faversham, pass thence by way of Maidstone to Blackheath. Of what avail, against such a line of operations will the South-Eastern Railway be, except, perhaps, to get the guards as far as Maidstone, or probably to

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Barham Downs, in time to give battle. But unless you destroy the enemy in a first encounter, all the uses of your railway lines, in which you had before put so much trust, are gone; for it is not quite so easy as newspaper writers suppose to withdraw a beaten army from the field under any circumstances; and to place its wreck in railway carriages, amid the hurry of a retreat would be simply impossible. In a word, from the hour in which hostilities actually begin, and invading and defending armies face each other, railways become to the latter an impediment rather than a support. Loth to abandon, yet unable adequately to cover, these means of rapid approach to the capital, the defenders will manœuvre, as troops always do when the councils of their leaders are distracted; and they will probably incur the punishment which troops and their leaders usually suffer if they continue to waver when they ought to act.

But we are making nothing all this while, it will be said, of the native hardihood of the population, nor taking into account the overwhelming naval force which the country has at its disposal. The former is surely worth considering; the latter ought to be, if it is not, sufficient of itself to place us beyond the reach of danger. Both statements may be true — we believe that they are true — up to a certain extent; yet the inference which is sought to be drawn from them is far from being certain. And in regard to the first, we have the testimony of universal experience to adduce against its admissibility. The native hardihood of its population has never yet prevented a country from being invaded and overcome by regularly disciplined forces; and it never will. We do not question the personal courage of nine hundred and ninety-nine Englishmen out of every thousand. We are willing to regard every country gentleman and yeoman whom we meet as an absolute Paladin in a round hat; but these are not times when personal prowess, however transcendant, can be matched against skill and practice in the art of war. The native hardihood of the population, if it brought a crowd of ill-armed and worse-disciplined men together, would result in a disastrous and dispiriting defeat, with enormous loss of life to the vanquished. And as to lining hedges, and filling woods, and holding open towns and villages with people, nine out of every ten among whom would not know how to load their pieces, the idea is not worth debating. The militia of Virginia and the neighbouring States, though much more accustomed to the use of fire-arms than the general population of this country, did not stop the march of a handful of disciplined troops to Washington; yet, after a few months' campaigning on the Canadian frontier, the militia of New York and Massachusetts

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became formidable opponents to the best of our veteran soldiers. It is not, therefore, to what an entire population may be made after a few months' training that we ought to look, but to what they are without any training at all; more especially here, in England, where the effect of the Game Laws is to prevent a countless majority of them from ever handling a fire-arm at all. Hence, taking all things into consideration, while we firmly believe that the world can produce no match for the English soldier, after he has served a few years in the ranks, we believe likewise, that if you search Europe through, you will not find a population so little suited as our own to improvise a good fighting army. And we are further of opinion, that half a dozen battalions of the Chasseurs de Vincennes would make minced-meat of forty thousand honest and brave lads from the plough-tail or the workshop, were any officer so improvident as to afford them the opportunity.

But the fleet! Is all confidence to be withdrawn from that? Certainly not. Whatever a fleet can do, commensurate with its strength, the British navy will accomplish. But consider what the British navy on a peace establishment is, and take into account the innumerable demands that are made upon it in all parts of the world; and then say how far we should be justified were we to regard it as a sufficient bulwark of itself against invasion, even upon a large scale.

If there be some diversity of opinion in what ought to be well-informed circles on the subject of our armaments by land, and especially in regard to the efficiency of our artillery, the differences which prevail respecting the capabilities of the fleet are still more perplexing. One official — belonging, to be sure, to the late Administration — has affirmed, that without withdrawing a keel from any important station abroad, he will undertake, in twenty-four hours, to arrange such a chain of steamers between the North Foreland and Portland Bill as shall render impossible the passage unnoticed, and therefore unopposed, of a single vessel, far more of a squadron, from any port in France to the English shore. Another, being Secretary to the present Admiralty Board, asserts that this is a mere delusion, and demonstrates, as far as figures can demonstrate anything, that we should still be inadequate to keep command of the Channel were the Mediterranean left without a ship of war to observe it, and the whole of our disposable block ships and screw steamers put in a serviceable condition. A third, acknowledging the inadequacy of the force actually in commission, assumes that what is wanting there can be supplied at any moment, by bringing the mercantile steam navy into line. A

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fourth meets this argument by pointing out that it is not ships, but seamen that are needed; and that if the crews of the mercantile navy were to volunteer *en masse* — which he considers that they would scarcely do — their numbers would be insufficient to work and fight their own vessels, much less to make good the deficiencies which are palpable in the manning of the Royal Navy. 'Who shall decide when doctors disagree?' Certainly not the 'Edinburgh Review,' so far as the points under immediate discussion are concerned. But possibly neither Lords, nor ex-Lords, nor their secretaries and admirers, will take it amiss if we venture to point out certain matters of fact, which seem by all, in the late debates, to have been forgotten.

It is not the business of the British navy to afford protection to the heart of the British empire exclusively. We have colonies and settlements in all parts of the world, every one of which requires that it shall be looked after — not alone because a certain proportion of her Majesty's subjects dwell there, but because each port and settlement is an entrepôt of our commerce and a place of shelter and supply for our commercial marine. Our political relations with foreign States are likewise complicated and numerous. We are bound by express treaty, for example, to protect the independence of Portugal against all the world; to co-operate with France and America in the suppression of the slave trade; to maintain the little kingdom of Greece in its integrity; and to throw our weight into the opposite scale should one or more of the great Continental Powers evince a disposition to encroach upon the rights of their neighbours, as these have been generally recognised by Europe. Meanwhile our merchants send their vessels not only to every harbour in civilised Europe and North America, but to Turkey, to Egypt, to the Dutch and other settlements in the Indian Archipelago, to China, up the African rivers, to the States of South America, under whatever form of government or of anarchy subsisting; and require, and have a right to require, that they shall be protected at each of these various places in the prosecution of their lawful callings. Are we, because it now appears that there is not force enough in the Channel to render the invasion of England impossible, suddenly to disregard all these treaties — to withdraw this protection from our merchants trading abroad — and to abandon to whomsoever it may please to take them up, the foreign posts and settlements which cost so much blood and treasure to acquire? For abandoned to all intents and purposes they will be, if, after a rupture — say with France, or with Russia, or with both — we leave them to the protection of the inadequate military garrisons

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by which they are now held. Surely this would be both impolitic and unjust. Nor would such a course of proceeding answer our purpose. It is this multiplied and continuous action —this service in all climates and in every sea, which renders the British navy the admirable machine which we find it. Bring your ships home, and crowd them into the Channel, where, as often as it begins to blow, they will seek and find shelter in their own harbours, and your seamen will soon become what you describe the seamen of France and Russia to be — fair-weather sailors, and nothing more. Apart, then, from considerations of national honour, and the duty of protection which the State owes to all its citizens, the nature of our peculiar position, which requires that we should be the first maritime Power in the world, imposes on us the necessity of exercising the Queen's ships and their crews in every quarter of the globe. And looking to the many great interests that are at stake, we really cannot lay our hand upon a single naval station, not excepting the coast of Africa itself, of which we should be inclined to predicate that it is at this moment unnecessarily crowded with ships of war. But this is not all.

Our readers have probably not forgotten that some time ago, while the 'invasion panic' was at its height, Mr. Hume — certainly not the individual among our legislators most prone to take alarm — found fault with the Government for keeping so large a proportion of the fleet at Lisbon and in the Mediterranean, and demanded that it should be ordered home. Some of the ships were, if we recollect right, ordered home accordingly; and their arrival in Cork harbour gave great satisfaction to timid economists; but besides that the general policy of such a move was, under the circumstances, very doubtful, a moment's reflection must satisfy every instructed man that, as far as the protection of England or Ireland from invasion is concerned, it was quite nugatory. We do not want ships of the line, or sailing frigates and sloops, to cover our shores from an enemy's flotilla. They would be perfectly useless if employed in such a service; for they could not, in any state of the weather, prevent a whole fleet of steamers from passing them by and running them out of sight; while in the event of calm the long guns of this same steam fleet would knock them to pieces. No doubt their crews might be turned over to man her Majesty's steam squadron, such as it is. Some of them might be transferred likewise to the General Steam Navigation Company's vessels at Blackwall or Leith; others to as many of the West Indian and Oriental steam ships as chanced to be in the Mersey; indeed, there is no reason why the river steamers themselves, every one

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of which, we are told, might carry a gun and render good service, should not receive a portion of them. But such arrangements as these are not made in a day. First, the merchant steamers must be embargoed, and the order to detain them might go forth at a moment when all, or next to all, are out of port. Then, the vessels when taken possession of must be strengthened, armed, and completed with fuel and stores; thirdly, the crews from the abandoned line-of-battle ships must be transported to the various ports where their re-embarkation is to be effected. Say that a week or even four days are required to effect these arrangements, will an enemy who is ready and determined to invade you wait till they are completed? We should think not. Before you can assemble your steam fleet, or half of it, from the Clyde, the Forth, the Mersey, and the Thames, twenty steamers, each with a transport in tow, will have crossed the Channel, and 40,000 men, with their cannon and stores, would be landed at any one of a dozen convenient places between Margate and Torbay.

It will never do to meet this statement by a counter assertion that war could not break out so suddenly as to leave the English Government without time to concentrate a sufficient force in the Channel to prevent invasion. War may, and probably will, threaten long enough ere hostilities commence. But war has threatened before, as in the Tahiti and the Acre cases, without occurring at all; and so prone are the people of this country to discredit what they are unwilling to believe, that no amount of threatening short of the sound of an enemy's cannon is ever likely to convince them that war will come at last. Would any Minister dare, hostilities not having actually commenced, to lay hands upon the Oriental or West Indian Mail steam fleet, and filling it with seamen and guns of his own, send it to cruise up and down the Channel? Would the proprietors of these fine vessels, or would the shareholders in any other steam navigation company, submit to have their bread thus taken out of their mouths, or would the merchants of England tolerate such an interference with their business? And suppose no hostilities took place after all, what account would the Cabinet, which had thus played the fool, give to the House of Commons for having made itself ridiculous in the eyes of Europe, and done such enormous damage to the trade of the country? In our opinion, therefore, they who count upon the mercantile steam navy as applicable to defensive purposes in war, cannot have rightly considered the subject. It might, and probably would, render excellent service in helping to cut off an invading force from its supplies by interrupting the communication between the French

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and English coasts. But to carry it into line in sufficient time to resist an invasion—if an invasion were to be attempted—is impossible.

Again, consider the effect upon our national prestige, if, in order to cover the shores of the mother country, we leave her outposts, especially those in the Mediterranean, to the defence of their present inadequate garrisons. It has elsewhere been shown that, including the Maltese Fencibles—a regiment not, we suspect, very much to be relied upon except for parade purposes—we have under 3000 effective troops of all arms in Malta. To man the extensive works which command that island at least twice as many soldiers are required; yet Malta is within a few hours' steaming both of Toulon and Algiers. Among the four larger of the Greek islands which it has been considered politic to occupy, less than 4000 men, inclusive of artillery and sappers, are scattered. What will follow if, having waited till Admiral Dundas shall leave the waters, the French make a descent upon these islands, either simultaneously or one by one? And how shall we appear in the eyes of Europe, when, with all our traditional boasting as 'rulers of the waves,' we are found unable to shut the door against an attempt which would as certainly prove successful as it was made? For Corfu is the only island in the group which can be said to be fortified; and there the works are at once too extensive for the garrison, and feeble because incomplete. It appears then, that the recall of Admiral Dundas, at a moment when the storm was gathering, might lead to consequences, not indeed quite so fatal as the loss of London, but of very grave issue. Besides, would he be able to come in time; or are we seriously thinking of resigning the command of the Mediterranean, in peace as well as in war, to our neighbours?

But is it our deliberate opinion that Louis Napoleon, however ill disposed, would be able to collect such a force of steam ships and soldiers in the ports of France as would justify him, under any circumstances, in hazarding a descent upon England without so alarming the English Government as to lead to demands for an explanation? And in the event of such explanation being either refused or proving unsatisfactory, do we think that ample time would not be afforded to equip steamers and sailing ships enough to blow his flotilla out of the water? It is our deliberate opinion that such a throw is upon the dice. We do not think that it is likely to turn up: we believe that there are nine chances to one against it. But the tenth may come, and the consequences to England if it did come, would be so disastrous, that no moderate amount of inconvenience is

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to be considered as intolerable which promises to avert it. Why should such a contingency be rejected as impossible? First, because the lines of rail from Paris to Cherbourg are not yet completed; and without lines of rail much more time would be required to concentrate 50,000 men on the French coast than to cover the Channel with English guard ships. Secondly, because the moment Napoleon begins to move troops towards the coast, whether by rail or otherwise, we are warned, and begin to prepare for the worst. Thirdly, because were all our sources of information to fail, including ambassadors, consuls, and the 'Times Commissioner'—or supposing that, under the pretext of a great military and naval review, Napoleon were to succeed in getting a sufficient army assembled, with adequate means of transport to carry it across the Channel;—there would still remain to be effected the slow and difficult operation of embarking, with a voyage, and, last of all, a debarkation, quite as tedious, and far more full of danger than the embarkation. Has not Sir De Lacy Evans stated in Parliament that 50,000 men, with their guns, stores, and horses, could not, let the weather be ever so favourable, be disembarked on the coast of Kent in less than ten days; and does he not support the opinion by reference to the landing of the British army in Mondego Bay, under Sir Arthur Wellesley, in 1807? Admitted: and the illustration is every way worthy of the argument. Sir Arthur Wellesley arrived in Mondego Bay just after a furious gale had ceased to blow, when such a surf broke upon the shore as rendered the approach of a row-boat impossible. He was forced to wait till the swell had subsided, and then, with no other means than the ships' boats afforded, to pass his troops by driblets over three miles of rolling sea. And this in the year 1807, when the British Government knew as little how to equip a warlike expedition as the Caffres do of land surveying, or the New Hollanders of strategy. But why, as the Secretary at War fairly reminded him, did the gallant member go so far back in history, doing thereby scant justice to himself. Sir De Lacy Evans acted, if we recollect right, as Deputy Quarter Master General to General Ross's little army, which, on the 19th of August, 1814, effected its landing at the mouth of the Patuxent in ten hours. He must have had some share in making the arrangements which produced such results. Again, the same army, under the same guidance, landed near Baltimore, on the 14th of September following, in six hours, marched the same day about seven miles up the country, fought a battle and won a victory. No doubt the British fleet had perfect command of the sea, and the weather was propitious on both

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occasions. But as far as the debarkation is concerned, the naval superiority of the invaders would have served every purpose had it remained with them only twenty-four hours, and it does not appear to have been backed up by any extraordinary preparations beforehand. If ever a French steam fleet make a dash at England with 40,000 or 50,000 men on board, it will do so completely provided with stages and flat-bottomed boats and all the other necessary appliances for throwing its living cargo ashore. And for the rest, has General Evans forgotten that, in 1806, Napoleon's army of England, 100,000 strong, was so appointed and drilled that it embarked, with all its *matériel*, in one hour, and disembarked again, after floating about for a while, in two hours? Surely the gallant member does not wish us to believe that our neighbours have degenerated to such an extent as to render that impracticable, in the present age of steam navigation and improved mechanical contrivance, which was actually done forty years ago, when steam-ships had no existence.

But without a line of rail to Cherbourg, it is idle to speak of concentrating there such an army as would justify the most ambitious and daring of men in hazarding a descent upon England; and, granting that this difficulty were to be got over, should we not hear of the project so long before it was ripe, that ample opportunity would be afforded of defeating it? The absence of railway communication between Paris and Cherbourg would certainly render more difficult the establishment of a base of operations at that port than if such communication existed. But how long is this state of things to continue? A line of rail to connect Cherbourg with the French capital is already determined upon, and begun. It will probably be completed in a year. But if the case were otherwise, we should not the less act prudently in organising a defensive system now; because neither are we to consider the present as the only time when danger may threaten, nor is Cherbourg the only port in France whence a flotilla might take its departure. Napoleon the First selected Boulogne as his place of muster. Napoleon the Second may assemble his troops simultaneously at Boulogne, Cherbourg, Havre, and a dozen harbours besides — with each of which there is railway communication. And if, as the present Secretary to the Admiralty acknowledges, the available steam navy of France, on the narrow seas, be more than a match for ours, why should it not win and keep command of the Channel long enough to admit of the passage of as many troops as there are means at hand for transporting to the English shore? Eight and forty hours of naval superiority

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would suffice for this; and history shows, that at the commencement of our wars, especially, France has more than once swept the Channel for a longer period than eight and forty hours.

Finally, with reference to the warning which it is supposed will reach us, it may be sufficient to observe, that he who assumes this begs the whole question at issue. The ordinary garrison of Paris seldom falls short of 50,000 men; and it is fully equipped with cavalry, artillery, and stores. To transport it to the coast, at the expense of one of those outrages on private property which the French Government may at any moment commit, but on which our own could not, even on a pressing emergency, venture, will require, at the most, eight and forty hours. Six hours more will see the whole on board; because each detachment, as it alights from the trucks and carriages, will pass on into the particular vessels which are told off to receive it; and at nightfall, on the third day, the armada will be at sea. We do not imagine that all this can be done without some intimation reaching London of the events in progress. It will be vague, however, and probably come late; because a movement of this sort must, of course, be preceded by the severance of the galvanic wires at Calais, and an embargo upon every thing that can float, all along the French coast. But supposing our Government to learn the truth about the same time that the French troops are settled in their transports, — and assuming the present order of things afloat and on shore to hold good, — what steps could be taken to intercept the expedition, or to hinder the enemy, first from landing, and next from inflicting such a blow on the credit of the country as it might hardly ever recover? We cannot answer the question. No doubt Plymouth, Portsmouth, and the Medway would send out every thing capable of carrying a gun which could be moved by wind or steam; and possibly there might be some fighting, in mid-channel, with one or other of the squadrons which covered the French Armada in flank or rear; but as to stopping the movement, or destroying the transports with all their living cargo, the thing would be utterly impossible. Indeed, we might go further. The application of steam to navigation has reduced the Channel pretty nearly to what the Rhine or any other broad and deep river used to be fifty years ago. An army, determined on crossing will find the opportunity of doing so, in greater or less force, at almost any stage in a war. For blockades with steam fleets are out of the question; and steam ships move with such certainty, as well as with such speed, that the aggressive power which has made up its mind to sacrifice, if need be, one or two vessels of war, will always be in a condition so to

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occupy the look-out squadrons, as shall enable its transports to steal by under cover of night, and reach the opposite shore ere day dawn. We say again, emphatically, that the chances against any attempt of the kind are, in our opinion, many. But neither the attempt, nor the accomplishment of it, is impossible. And who can consider without dismay the consequences to our national greatness, which would ensue, were a French marshal, at the head of 50,000 men, to reach London; or a French general, with 20,000, to burn Portsmouth, or Sheerness, or Chatham?

Though we have not yet exhausted this part of our subject, nor quite, we trust, worn out the patience of our readers, the diminishing space at our disposal warns us to go on to another. For enough, we think, has been said to affirm the necessity of some measures of defensive arrangement, rather as a preventive of war and its threatenings than for any other purpose. Let us consider now the nature of the step which Lord Derby's Cabinet has taken with a view to meet the exigencies of the case. Their measure can scarcely be called a Militia Law. It is a law for embodying an army of reserve, by voluntary enlistment, should the voluntary principle suffice; by compulsion and the use of the ballot, should the voluntary principle fail. We think that Lord Derby has not been well advised to attempt the soldering together of two systems so discordant. They will not work in conjunction. The man who is drawn by ballot is to receive no bounty — the man who volunteers is to be made richer by 6*l.** Is the reflection that he has been forcibly, and without any fee, withdrawn from his ordinary occupations likely to become less painful to the pressed man, because he sees his comrade, who probably had no settled occupation to give up, rejoicing over the pot of beer wherewith the liberality of the State has supplied him? Quite otherwise. The pressed man joins his regiment reluctantly. He never would have put on a red coat if he could have helped it. He is out of spirits — probably out of humour — and the tempest in his breast is little likely to be allayed by the taunts and gibes with which the well-feed and constitutionally reckless volunteer will be pretty sure to greet him. Nor will it serve the angry man's purpose to draw

* There was no such difference formerly, even in the case of regulars. Hale observes, in his Pleas of the Crown, that while an abusive prerogative of pressing by compulsion had grown up concurrently with the usage of retaining soldiers by voluntary indenture, a consideration or pay was given to the first as well as to the last. The issuing commissions to imprest men and the compelling men to take *press* money (*præstitum*) or otherwise to imprison them, hath been a practice, he says 'long in use.'

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analogies between the Militia Law of 1852 and the Impressment Acts, as they operated on seafaring men during the late war. The impressed seaman learned by degrees to make the most of a situation which was unavoidable. Once on board of a King's ship, he knew that a King's man he must continue: and it not unfrequently occurred that he was kept so long at sea, that the desire to return home died out. In like manner, the militiamen of the late war adopted the feelings, as indeed they led the life, of soldiers of the line. They came, at last, to take a pride in their profession, or which, perhaps, approaches nearer to the truth, they contracted habits which totally unfitted them for any other. But the new militia-man is to turn out only at stated seasons, and to apply himself to drill, during periods, possibly of six weeks, certainly of three, and in due time of two, in each year. To the pressed man this hardship will grow more and more intolerable on each renewal of the drill season; indeed, its recurrence may seriously affect his prospects in life; for he cannot evade any demand that may be made upon his services, because the settled nature of his business, which made him reluctant to enlist in the first instance, will keep him stationary, and therefore always within call. The volunteer, on the other hand, if he show himself at the second muster at all, will do so, because he has either made no exertion to get into steady work, or has failed. But will he show himself at the second muster? Colonel Wood, of the Middlesex regiment, a great authority, as we are told, on this subject, says that he will. Colonel Wood, it appears, raised 1100 men during the late war by voluntary enlistment, and not one of them deserted. Very likely; but Colonel Wood's 1100 men were not in the same position in 1809, that a regiment of militia will be in under the law of 1852. He had his men embodied for five years together. He lodged them in barracks — marched them from place to place throughout the United Kingdom — and governed them according to the terms of the Mutiny Act, from January to December. We don't exactly see how they could desert, any more than if they had all been soldiers of the line. But the thoughtless country lad, who considers it a fine lark to put on a red coat this year, will probably take a different view of the subject when his next season of drill comes round. We venture to prophesy that, at the expiration of twenty-one days he will go back to his village much less in love with soldiering than he was when he accepted the bounty: and we shall not be surprised if we hear of his getting quietly out of the way, a month or two before the second period of his service comes round. Now we object to risking the loss both of the militia-man's services and the Queen's bounty. Doubtless a pressed man may levant in like manner.

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Probably some of them will, especially among those who, from any cause whatever, have lost their regular employment, or are going back in the world. But the country sustains no damage, in this case, which a fresh ballot will not supply; whereas, in the other, the public is robbed thrice over. We object, therefore, to a system which exposes us to the chances first of losing our 6*l.* — the bounty to the volunteer — next, of losing our volunteer, after we have paid him in advance for his services, and thirdly, for costing us the loss of the labour of a second man, whom the ballot must bring forward, *nolens volens*, to supply the place of the deserter.

We perceive that, both in the Cabinet and among the supporters of Government in the House of Commons, great stress is laid upon the application of the voluntary principle to the new Militia Law; but, in our poor opinion, this is exactly its worst feature. When you set about enrolling men for general service all over the world, and require them to continue with their colours throughout ten or twelve years, the system of voluntary enlistment, whether the service is to be on land or sea, is the only fair one. Recruits know what they are doing, or are supposed to know it. You propose to make a bargain with them, of which they quite understand the nature, and they either close with your terms or reject them, according as the humour jumps. It is not so with a militia, of which the principle is recognised in the constitution of this and of every other civilised nation in the world; for the service of the militia is merely a modification of that which every citizen owes to his country and to the Government which protects him. Consider the liability to which in civil life all men, without any exception, are exposed. In the event of an actual or apprehended breach of the public peace the sheriff may order out the *posse comitatus*, and every man who hears the proclamation is bound to obey it. Now if obedience be at once necessary and patriotic in such a case, much more is every citizen within the policy of the old Assize of Arms and Commission of Array; and bound, in case of invasion or threatened invasion from abroad, to arm in defence of his home and the laws. But the Legislature, justly concluding that no benefit could result from a tumultuary assemblage of people under such circumstances, has, from time to time, enacted laws, whereby the duty of learning the use of arms is assigned to certain proportions of the Crown's subjects, and arrangements are made for the selection of the parties on whom this charge shall devolve. Originally, as, perhaps, it may appear superfluous to state, great part of the land of the kingdom was held on military tenure. It was an arrangement to which, as

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well as to all the more onerous and oppressive of the Feudal incidents, the first parliament which met after the Restoration of Charles II. put an end. But the same body which accomplished this purpose passed also a Militia Act, of which, in spite of endless alterations in its form, and in many of its details, the spirit remained down to the passing of the present Act. We are of opinion that Lord Derby listened to bad advice, and we are sure that if ultimate popularity was his object he took a wrong method of winning it, when, by the legal recognition of voluntary enlistment, he deviated from that spirit.

Our ancestors, who disputed on the terms of a Militia Bill with Charles I., would be not a little surprised at the issues taken on it to-day. Without wearying our readers with any analyses of the very many Acts which crowd the Statute Book from the 13th of Charles II., in 1662, down to the 42d George III., in 1802, it may suffice to state that they are all based upon the following principles:—

1. That the nation is bound to provide a military force adequate to the defence of the realm against foreign invasion and domestic rebellion.

2. That such force shall be provided by the various counties of England and Wales, according to a scale which shall in each county be proportioned to its population.

3. That the militia force shall be raised by ballot, to which all, except certain privileged persons, such as peers of the realm, ministers of religion, teachers of youth, &c. &c., shall be liable.

4. That the ballot shall be applicable only to men within specified periods of life.

5. That any person on whom the ballot may fall shall be allowed, at his own expense, to provide a substitute, whose service, as had been the case with scutage, shall count as that of the individual whom he represents, but for whose presence with his colours the person sending him shall be answerable.

6. That the force, being intended for defensive purposes only, shall be managed by the lieutenancies of counties, subject to the general control of the Crown.

7. That all commissions shall be signed by the lords-lieutenant, and conferred only upon persons holding a certain stake in the county, their rank to be graduated in proportion to the amount of their property.

8. That the amount of militia force being fixed by an Act of Parliament, no addition can be made to it except by a vote of the Legislature; nor can it be embodied for a period beyond

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that which the Act allows, except on some pressing emergency; and that if such emergency arise, and the militia be either embodied or kept more than the time specified under arms, Parliament shall assemble within fourteen days to confirm or annul the proceeding.

There are many more provisions than these, some having a tendency to mitigate the pressure upon individuals, others guarding against the misapplication of a force, which, though much more numerous than the standing army, Parliament appears to have adopted for its own. Canning distinguished it by the name of the Parliamentary army. On the same occasion in his speech on Windham's Limited Service Bill (1806), he remarked that it was against 'all experience that voluntary enrolment should suffice for all the military purposes of a great nation; there is no instance in the world in which it has been found sufficient. Recognising this truth, we have in this country had recourse to a mixture of compulsory service; we have applied compulsion in its most mitigated form, and to home service only.' But it was not till 1805 that the expediency of voluntary enlistment was recognised, and even then the matter was handled in a spirit very different from that which Mr. Walpole applies to it. The people were not coaxed or invited to offer themselves,—quite otherwise. But parishes, instead of going to the ballot, were permitted to accept the services of volunteers, and to pay to each volunteer out of the poor-rate a bounty not exceeding 6*l.* Now the object of this enactment is obvious. It was intended to relax, as far as appeared safe, the tension of a law which had begun to wrap the nation round too strongly; for the permission given in 1805 to volunteer out of the militia into the regular army, operated as a considerable drain on the youth and manhood of the country. But this is an arrangement as different in principle from Mr. Walpole's as the condition of the country in 1852 differs from what it was in 1805. Then we were in the midst of a war which threatened to be interminable. We had two separate descriptions of militia on foot; a general one, which went every where throughout the British Islands, and did the duty of troops of the line; the other supplemental or local, which assembled once a year for purposes of training at the chief towns of counties, but never went beyond them. It was into the former militia force alone that volunteers were allowed to enter, and they never quitted it again till after the peace, except by volunteering to serve in some regiment of the line.

We are old enough to recollect the days when the militia of England was in its prime, and memory has begun to play us

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false if there was any general complaint of the severity with which the laws for its maintenance were worked. People desired, indeed, to get rid of them, and, with them, of the war which rendered them necessary. But of the tumults referred to during the late debates, as occurring at the stations where ballot-papers were drawn, we cannot recollect ever to have heard. Doubtless there will have been cases like those of *Mouldy* and *Bullcalf* of old before the door of *Mr. Justice Shallow*. But, as a whole, the people knew that a militia was necessary, and they got up clubs and societies every where, with a view to guard themselves, individually, against being taken. They had their money-box, into which each member paid his annual subscription, and when the balloting-day arrived they were ready for it. Say that a hundred eligible men subscribed annually 1*l.* in the shape of insurance against militia service, and that, by some run of ill-luck, out of a hundred members so subscribing two happened to be drawn in one year;—forthwith they took counsel together. If the two so drawn thought fit to go, they received out of the stock-purse perhaps 15*l.*, or 20*l.*, or even 30*l.* a-piece. If they preferred staying at home, substitutes were looked for elsewhere, and invariably found. It is true that as much as 40*l.* has been paid for a substitute. But, except in the cases of men of fortune, who, of course, would have considered it derogatory to belong to a militia club, few individuals any where paid more than 1*l.*, and very often not half so much, in order to secure themselves from being drawn. Why did not Mr. Walpole content himself with purging the laws of 1802 and 1805 of the facilities to jobbing and delay which they afforded in the constitution of the Lieutenancy Courts, and then request the House to sanction their resuscitation? He may depend upon it that his measure would have been at once more effective and more popular than it now is; for militia clubs would have sprung up again in all quarters; and forasmuch as the necessary payments in time of peace must always be trifling, the people would have soon ceased to regard them in any other light than as a small addition to their police rates. Finally, clubs would have taken care to send into the ranks only such substitutes as could be depended upon. For the law of 1805 exempts from service the party chosen by ballot only so long as his substitute shall be forthcoming. The moment the substitute deserts, the balloted man is called in, unless he have another substitute ready.

Again, since Mr. Walpole was resolved to alter the spirit of the law, it is somewhat surprising that he should have overlooked the propriety of introducing into his Bill a clause which

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might have enrolled the population of our maritime places into a sort of sea-fencible force, and thereby provided crews for as many guard-ships as should suffice for the protection of the narrow seas. There are plenty of ships laid up in ordinary, the best of which, by the simple process of fitting them with screw propellers, could be converted into effective floating batteries in a fortnight. But ships without men are useless, and experience proves that under the existing law we can with difficulty get men enough to supply the demands of peace service. What shall we do in the event of a sudden war? Now if Mr. Walpole had added a clause to his Bill whereby the sea-board of the country was required to raise a naval militia, and had he comprehended under the term 'sea-board' all towns, villages, and rural districts lying along the coast, and within a radius of seven miles from high-water mark, he would have improvised for defensive purposes such a body of men as England never before had at her disposal. Consider the use that might be made of such people as the Kentish Hovellers, the fishermen of Sussex, Hampshire, and Devonshire, the crews of the herring fleet, which at particular seasons make the German Ocean alive from Norwich to Aberdeen,—every one of whom, be it observed, has his settled place of abode, and follows a calling, the desultory nature of which would make the prospect of occasional employment in the public service, and on his own element, agreeable to him rather than the reverse. A few weeks' periodical training would bring such a force into perfect order, after which, if you had ships enough ready, with stores and armament moderately complete, the fault would indeed be your own if you failed to interpose to any threatened invasion such a force as would, in all probability, hinder the attempt from being made. We venture to say that a Militia Bill of this sort would be hailed as a boon by all to whom its provisions extended. There would be plenty of volunteers, provided care were taken to fix the periods of exercise at times in the year when other employment is usually scarce, and of desertion there would be no risk. We recommend the Government to give this hint of ours their serious consideration, and not to despise the warnings of Sir Charles Napier, with whose views on this subject our own pretty well coincide.

But would it not be much better, instead of trifling with a militia at all, to enlist seamen for the Royal Navy, as you enlist soldiers for the regular army; to retain them in the service, say ten years, and if you find that the present strength of either the navy or the army, or both, is inadequate, to raise it to a proper standard and to keep it there. Or if you must have

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an irregular and subsidiary force in store, why not accept the services of volunteer corps, which have over and over again been tendered, and which neither the past nor the present Government seems to have known whether to discountenance or encourage? Undoubtedly for purposes of war, and even of commanding peace, there is no force, either by land or sea, like a regular army and navy; but can any House of Commons be depended upon in these days for maintaining them at such an establishment as shall insure the accomplishment of the desired end? Are we not at this moment trying to supply what is wanting both in the army and in the navy by a militia law? And do not those who resist this law affirm that the country supports already a greater number of soldiers and sailors than she requires? We have now afloat in the service, according to Mr. Stafford's statement to the House, 38,000 seamen and marines, including boys. Is Mr. Hume prepared to give us 12,000 more? Our army at home, including the troops in Ireland and the Channel Islands, has been taken at 50,000 infantry and cavalry, with 8000 artillery. Will Mr. Cobden consent to increase this force by 25,000 more, and pledge himself never to vote for keeping less than 75,000 regular troops, under the immediate orders of the Horse Guards? It would be ridiculous to require such a concession from the member for the West Riding. He will never make it; and though, under the pressure of an immediate urgency, some Parliament of which he was one of the ornaments should carry the point against him, who will undertake to guarantee a continuance of such liberality? What follows?—Down come our fleet and army again to their ancient state of numerical inadequacy; and that too, it may be, just before the danger appears, against which, by increasing both, provision seemed to have been made. But it is idle to discuss this point. However desirable an increase to the regular army and navy of this country might be, no Minister will venture, during a season of profound peace, to propose it. What are we to do then? Fall back upon volunteer corps? Think for a moment. Volunteer corps are made up of men, who, for the nonce, have taken it into their heads that they would like to wear smart uniforms, occasionally practise rifle-shooting, and learn a little company and regimental drill. They are under no control or discipline except that of their own humour; indeed, the moment you try to bring them under discipline they cease to be volunteers. To-day their military zeal may be at boiling-heat, to-morrow it will have fallen to zero; or the weather may be lowering, or private business may come in the way, or any one of the thousand impulses which

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more or less operate upon all minds, cultivated or the contrary, may render it inconvenient to go out at the appointed hour, and listen to the instructions of the drill-sergeant. There is a fine to be paid, of course—for we must do our volunteers the justice to acknowledge that they invariably begin their soldiering with a settled purpose of going on with it. And for once, or for twice, or perhaps oftener, the forfeit will be submitted to without repining, and a good fund thereby collected for a jollification at the year's end. But people grow as weary of paying forfeits as of playing at soldiers; and first one, and then another, will secede from the corps till it dwindles into a skeleton. Or perhaps the commanding officer, or the adjutant, or the captain of his company, says something sharp to Mr. Snobs, which Mr. Snobs, with the true spirit of a holiday soldier, resents; and though a duel may no longer be the consequence, the country is forthwith deprived of Mr. Snobs's services. In fact, you cannot depend upon your volunteers either to assemble at fixed periods for training, or to turn out at a sudden call should it be necessary to make one. Besides, how many volunteers is it supposed that in time of peace the population would be disposed to furnish, and the Government be able to keep up, from year to year, in a state of efficiency? We have heard of offers made by the gentlemen of the Temple, by the students at King's College, and by perhaps a dozen or two more of associations and clubs, chiefly in the great towns in the north of England. But as to any general desire on the part of the people to arm and regiment themselves, we can discover no evidence that it exists, except in a few declamatory speeches by individuals in the House of Commons. Besides, we have no wish to see arms put into the hands of one class of society only. A national guard is a national nuisance, and the enrolment of the middle and higher orders of the kingdom into corps of volunteers during peace, would soon lead to the setting up of an institution which every where else has proved effective for mischief, and no where effective for good. When war comes, and the country is invaded, then, indeed, it will be time for all whom the love of country animates to seize their weapons and go forth to the battle. But in the meanwhile, since our economists will not give us regular soldiers and sailors enough, we must be content with the next best force which we can get, and that is a militia. Lord Hardinge has told us in the House of Lords, the number of days' training with which, by his own experience, a militia becomes fit for the different degrees and stages of efficiency towards active service.

This bring us to the often repeated question,—what are you to do with your militia when you get them; that is, assum-

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ing that they are forthcoming in the hour of real danger? You do not expect in twenty-one days, or in twice twenty-one, to make them fit to take the field against the soldiers of France? Certainly not; nor is it our intention to oppose them, at least in the first instance, to such a trial. Our naval militia, indeed, we shall send with perfect confidence to keep the narrow seas. They are in their element, and whatever they may lack in instruction as naval gunners, the presence in each guard-ship of a detachment of marine artillery will sufficiently supply. But our infantry regiments we shall immediately distribute through the strongholds, to which we have elsewhere made allusion, where, being mixed up with the Enrolled Pensioners, they will at once continue their professional instruction, and be ready, in case an enemy show himself under the walls, to defend them. They were no regular troops which defended Saragossa in 1809; and we should not fear to intrust either Plymouth, or Portsmouth, or Dover, or Chatham, or the Channel Islands, to the safe keeping of a sufficient force of half-disciplined militia, having detachments of Pensioners to back them up. By these means the whole 50,000 infantry and cavalry now in the United Kingdom might be either united or formed into two armies, one of which, say 20,000 strong, could watch Ireland, while the remaining 30,000 took the field in England. And if to these be added 100 guns, well mounted and horsed, with yeomanry cavalry to act on the enemy's communications, and volunteers to harass their flanks, then the traders and gentlemen of London may sleep soundly in their beds. It is not probable that any foreign enemy will ever disturb them.

Meanwhile, having got its militia, the Government will, in our opinion, act wisely, if it take steps to put the fleet in an effective state; and improving as much as possible the condition of the regular army and the fortresses, set about arranging some system of defence whereby London may be covered from the approach of an enemy should so dire a calamity ever threaten. And here we cannot do better than refer the members of the Administration to the works of Sir Howard Douglas and Colonel Chesney, and especially to the former.* They will there find both evidence of the care and skill which our neighbours have long evinced in the organisation of their navy, and excellent instruction in regard to the steps which it becomes us

* We had intended to notice these excellent works more at length in this paper, but soon found that the subjects which they embraced were too important to be fairly dealt with, except specially. We hope, before long, so to deal with them.

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to take in the same direction. We are no advocates, neither is Sir Howard, for accumulating fortresses and entrenched camps in England. The works which cover our dockyards and arsenals ought indeed to be adequate; and it is little to our credit that Woolwich, perhaps the most important of them all, lies quite open. But except there, and in the Channel Islands, the piling up of fortifications one upon another would be so much money sunk; for we neither have, nor are likely to have, soldiers to man them. Even in regard to London, it is our opinion that to speak of placing it, as Paris has been placed, in security behind a circle of redoubts, is idle. The extent of London is too great to admit of any operation of the sort; and the inconvenience of confined outlets to a place of such gigantic traffic would be intolerable. But it is only prudent that accurate military surveys should be made of the approaches to it from every side, and plans arranged for entrenching at the proper moment. Again, we trust that steps will be taken to provide the navy with a steam squadron on which some dependence, at least, may be placed. The performances of our crack war steamers have of late days been disgraceful. We say nothing of the Birkenhead — the calamity which visited her and her heroic crew might have occurred to any vessel on the seas. But when we find the Megæra occupying upwards of eighty days in a voyage between Dover and the Cape, besides taking fire three times in that interval; and when we further learn that the Hero, on her first trial, broke down between Sheerness and the Nore Light, we are tempted to believe that some cause of failure even more disgraceful than ignorance must operate in our dockyards. These, however, are points which besides that they are foreign to our present purpose, may, we should hope, be left, without scruple, in the hands of the present First Lord — himself a naval man. And as to the better armament of the troops, that, we are glad to find, has already begun. Sir Randolph Routh has shown that our commissariat also demands attention on this occasion.

In conclusion, then, we beg to observe, that our views of this great question have been formed neither to-day nor yesterday. We have long felt that the country was helpless in case of sudden war. We do not altogether approve of the measures which Lord Derby has adopted, in order to place it in a state of defence; but we are satisfied that it is better to do little than to do nothing. Time will show where the machine works amiss, and suggest, without doubt, the remedy.

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ART. X. — *The Oxford University Commission Report.* London: 1852.

THIS is a truly remarkable document, and one which is destined, we are persuaded, to form an era in the constitutional history of this country. It furnishes an invaluable precedent for the course which practical legislation should pursue, when any of the great institutions of the nation are brought under review. The reform of the Universities had for a long period excited the strongest interest in the public mind, and had been eagerly canvassed in every form of discussion. When accordingly the time was come for legislation, Lord John Russell might have followed the ordinary practice, and submitted, on the part of the Government, a Bill of University Reform to the consideration of Parliament; but he pursued a wiser and more salutary course. He felt that both the Government and Parliament needed instruction and a fuller knowledge of facts before they could safely deal with so momentous an interest. He was unwilling to expose the Universities to the risks of crude legislation before their actual state and their capabilities had been carefully explored by competent and impartial men; and as a preliminary to the interference of Parliament, he appointed a Royal Commission, which he charged with the duty of thoroughly sifting the whole subject, and collecting materials for sound and beneficial legislation. The Report before us is the fruit of this policy; its success will, we trust, lay the foundation of a general improvement in our legislative process.

The Commissioners open their Report with the record of their meetings, eighty-seven in number, extending from the 19th October, 1850, to the 23rd April, 1852. Most of the members were usually present, though several resided at great distances from London. All were engaged in active and often laborious professional duties. The number of these meetings, and the goodness of the attendance, indicate an amount of zeal, diligence, and earnestness, which go far of themselves towards establishing the judiciousness of Lord John Russell's selection, and entitling the Commission to the thanks of the country for a faithful discharge of the duty confided to them.

The first and most important fact disclosed by the Commission is the radical discrepancy between Oxford as it is and Oxford as it was at the beginning; between the present practice and constitution of the University as well as of its colleges and the ancient and statutable form of both. The Commission has furnished an authentic confirmation of a fact which the discus-

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sions of the last twenty years — and more especially the contributions of Sir W. Hamilton to this journal — had brought before the world. We have now evidence furnished by distinguished Oxonians that a complete revolution has taken place in the University; that its statutes — more particularly those of the colleges, though enforced by the sanction of the most solemn oaths, are, in numberless and essential points, beyond the range of Paley's latitudinarian concessions, habitually violated; that, for many of the actual practices of both bodies, no better authority can be pleaded than custom — custom too which has not seldom crept in through the suspicious opening of self-interest — and that even if no innovation were desirable, morality would demand that the pernicious and corrupting example of oaths distinctly pledging to special observances, and as distinctly contradicted by the daily conduct of academical authorities, should be banished from a seminary whose characteristic province is or ought to be the education of the young in the principles of sincerity and virtue. Even if nothing else called for the interference of the Legislature, the paramount importance of reconciling sworn profession with the habitual practice of the place would render necessary an appeal to the jurisdiction which alone has the power of bringing them into harmony.

The Commissioners define the colleges as 'charitable foundations for the support of poor scholars with perpetual succession, devoting themselves to study and prayer, administering their own affairs, under the presidency of a Head within, and the control of a Visitor without, according to statutes which were to be neither altered nor modified, and which were sanctioned by solemn oaths.' These institutions, so peculiar to England, and which have exercised so remarkable an influence on her Church and State, sprang, by a very natural process, from the early condition of the University. The University originally was a voluntary association of teachers, dividing into different faculties the field of learning as then understood, and governed by a single House or Legislature, of which all the masters or teachers were members. The students were, for the most part, distributed in lodgings over the town. At one time they were to be found even in taverns, hovels, and the turrets of the city walls. Sometimes a number of students voluntarily grouped themselves together, hired an inn, hostel, or hall, and chose a Master of Arts or Graduate of one of the superior faculties to be their Principal and Guardian. As many as 300 halls are stated by Anthony Wood to have existed at Oxford. The great majority of the students were very poor boys — some even mendicants, to whom licenses to beg were accorded by the

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Chancellor so late as 1572. Numbers were supported by alms, granted in the form of exhibitions by the Crown, the monasteries, and great nobles and prelates. The next step was to give a more permanent and regular character to these benefactions, by the help of monasteries and hospitals, which had acquired the privileges of incorporation, and were induced to open houses at the Universities, provided with regular endowments for the maintenance of novices and students. And then, lastly, independent colleges were founded, originating with a bequest of William of Durham, in 1249; but owning Walter de Merton as the real founder of the collegiate system in Oxford in 1270. Animosity against the mendicant friars, whose influence he wished to counteract, was a leading motive in prompting the benevolence of Walter de Merton, and of those who imitated his example. He first founded a religious house on his manor of Maldon, in Surrey, 'for the maintenance of twenty scholars, 'residing at the schools in Oxford or elsewhere in England, 'where a University might exist.' He also provided for 'a 'Warden and three or four ministers of the altar, who were to 'live in the house, together with lay brethren or bailiffs, whose 'business it was to cultivate the property. The scholars lived 'in halls, whilst the governing part of the foundation resided at 'Maldon. In 1270, he removed the latter also to Oxford, leaving the bailiffs to manage the estates, under the control, not of 'the Warden and priests, but of the Warden and scholars.'

Walter de Merton was not aware of the greatness of his measure. He was little conscious that in making provision for the permanent education of a few poor scholars he was creating an institution that was destined to flourish with unimpaired vigour for six hundred years, and seems at this day to have a future of equal duration still before it. He had struck upon a seminal idea, prolific of mighty results. It took root at once: and its first fruits were the conversion into real colleges of two foundations, those of University and Balliol, which, though prior in date, did not present the characteristic features of a 'self-'governing society, with perpetual succession, distinct from the 'houses of monastic orders, and established at Oxford itself.'

William of Wykeham conceived the novel design of superadding to the literary elements of a college the religious character and regulated habits of an ecclesiastical society. Lincoln followed. It was intended to be a nursery of theologians, who should 'exterminate' the heresies of Wickliffe. All Souls and Magdalen were next impressed with the type of New College, with magnificent services and monastic discipline. The statutes of Magdalen enjoy the memorable distinction of being the first to glow with a comprehensive sympathy for the University at

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large, and to establish college lecturers, chosen, without restriction, from the best men in the University, who were to embrace the whole of Oxford within their teaching. Corpus imitated the rule of New College. The collegiate system then reached its culminating point in Cardinal College, designed by Wolsey to be an almshouse, a chapter, a house of learning, and, 'through 'its professors, almost a University in itself, dispensing instruc- 'tion to the University at large.'

Colleges, by their statutes, are strictly eleemosynary institutions. The paramount object of their creation was the support of poor scholars, that is, of indigent students, pursuing the regular and appointed course of study in arts, theology, law, and other faculties. Their statutes suppose the Fellows to be students and poor; and under the word 'poor' they did not comprise those classes which the ingenuity of modern interpretation has included under the expression — sons of gentlemen of fortune, who as yet have no income of their own; they meant *the poor*, scholars drawn from the lower classes of the community — 'pauperes, pauperes et indigentes, sustentatione in- 'digentes, pauperes ex eleemosynâ viventes,' persons for whom the sum of eighteen pence a week was held by the princely founder of New College to be 'an honest and due' maintenance, when wheat was at the price of two shillings a bushel. A shilling a week is the ordinary allowance at most of the colleges for commons, and not seldom for all the wants of a Fellow. Founders, moreover, not only commanded that the poor only should be elected Fellows, but provided also for their remaining poor. The possession of ten marks, or 6*l.* 13*s.* 4*d.*, was to vacate a Fellowship at Brasennose. A division of a surplus of the revenues of the college among the Heads and Fellows is expressly forbidden in the statutes of New College, Magdalen, All Souls, and Worcester.

'So late as 1609,—say the Commissioners,—Archbishop Bancroft speaks of the division of any part of the corn or money of All Souls' College* among the Fellows, as "a fraudulent diverting of the same

* The great object of the 18 Eliz. c. 6. has been equally lost sight of; notwithstanding the recital 'For the better maintenance of learn- 'ing and the better Relief of Scholars,' and in spite of the penalty of Deprivation denounced against all members of any College who should consent to divert the corn-rent, directed to be reserved by the same statute, from the commons and diet of its Fellows and Scholars. Adam Smith and Blackstone commend the supposed policy of upholding the revenues of Colleges by turning a third of the old rents into corn-rents, though the revenue would have been as much secured on the falling in of every lease: but they pass over without notice the statutory application of this important third, &c., to the *feeding*

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"from the behoof and profit of the College unto private uses, which is "the point principally forbidden in the statutes." The statutes of Merton, Balliol, Oriel, Queen's, and Pembroke provide that in case the revenues of the Society shall increase, the number of Fellows shall also be increased. . . . . The intentions of founders on this subject receive a forcible illustration from the language of the objurgatory constitutions of Archbishop Peckham, Visitor of Merton College, which were sent to that society in 1284, only fourteen years after the date of the last statutes of Walter de Merton. He says, "Furthermore, although in the fourth chapter of the said regulations, it is "ordered that each scholar be satisfied with fifty shillings a year for "all his necessities, yet you have twisted this regulation to your own "desires; and what is worse, regardless of the duties of gratitude and "charity, and mindful only of your own advantage, have taken no "little more than the settled allowance, though the desires of your "founder were most express and urgent, not for an increase of the "allowance to existing scholars, but for an increase in the number of "scholars; for this he deemed expedient. This have ye not looked "to, thus violating your own oaths, as is evident from the seventh of "the Articles to which ye have sworn."'

It would have made a material difference in the strength of Mr. Whiston's case against the Chapter of Rochester, if he could have appealed to an express prohibition in the statutes, forbidding the ruling members of the Cathedral to appropriate the increase of the cathedral's income to their own advantage, instead of having to infer it by process of argument. The violation of such a positive command to increase the number of fellowships with any augmentation of the college's income, and the neglect of Visitors to enforce it, is a striking proof of the inability of the visitorial machinery and the most formidable apparatus of oaths to secure obedience to statutes constantly undermined by the fluctuating currents of society. And it is impossible not to feel extreme astonishment when one observes men, thus habitually living in the open breach of their laws, bold enough to appeal to collegiate statutes and to the paramount duty of obedience pledged by oath: yet these are the favourite pleas by which the enemies of the Commission resist inquiry into the state of the Universities! Not that we would insinuate a charge of perjury against the present generation of Fellows. Their predecessors 'fraudulently diverted'— to use the language of an Archbishop of Canterbury and a High

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of the pauperes et indigentes, of whom the Colleges were supposed to consist. Dr. Burns says, Kennet in his Par. Ant. gives H. Robinson, then Provost of Queen's, afterwards Bishop of Carlisle, the credit of suggesting this enactment. See also Life of Sir Thomas Smith, and Strype's Eliz. A. D. 1698.

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Churchman — money which did not belong to them to their own 'private uses;' but since their day time has brought about an academical revolution; and disobedience now on many points has become necessary and wholesome. The interests of the colleges, as well as the interests of the living Fellows, have required at some colleges, as at Balliol and Oriel, an augmentation of stipend to the Fellows: at others, on the contrary, the injunction of the founders have lost nothing of their claim on the compliance of the Society. But in any case, whether the disobedience be expedient or not, it is unsanctioned by any competent authority: and such a diversion of the collegiate funds, in violation of the most positive enactments of founders, calls for and justifies the intervention of Parliament. The Visitor cannot furnish the remedy which is needed. His office is limited to the interpretation and enforcement of the statutes; but he is not legally empowered to alter them. Indeed, the machinery of Visitors has been a fruitful cause of mischief. Visitors do not act unless set in motion by a complainant; and who was to complain, when all profited by the breach of trust? The existence of a Visitor does harm by excluding the salutary control of the Courts of Law. These refuse to interpose their jurisdiction till the Visitor has been convicted of neglect or breach of duty. The appeal must, therefore, be made, in the first instance, to the Visitor. It is needless to point out the difference between a private reference to a Visitor who has been bred up in the collegiate system, and has probably been a Fellow himself; and a complaint preferred in open court, publicly canvassed by counsel, in the presence of all England. An improved system of visitation should constitute a chief point in an efficient University Reform.

The idea of a community, regulated by strict rule and discipline, more or less monastical, living together as one family, in the closest intimacy and most constant intercourse, was universally present to the minds of founders as the object of their institutions. The essential condition of such a life was residence among the community. 'To speak of a non-resident Fellow 'would have been deemed a contradiction in terms.' Celibacy was universally required, commonly by the express command of the Statutes, or else by the imposition of orders, or by the obligation of residence. Even after the Reformation, the Heads of Jesus and Wadham were forbidden to marry. 'In the words 'of the older Jesuits, quoted by Blackstone, the purpose for 'which these indigent students were formed into a community 'was "ad orandum et studendum."' Benefactors wished to do good to themselves and the students together — to advance the

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latter in useful learning, and to extricate their own souls more speedily from Purgatory by the help of purchased prayers. They provided a home and maintenance for the Fellows, and required them to avail themselves of the instruction offered by the University. The Fellows were bound to attend the courses of the public teachers; to perform the endless disputations and exercises, which formed so large a part of the educational machinery of those times; and after the completion of their course in Arts, to prepare themselves, by systematic training, for the obtaining of a degree in one of the superior faculties of Theology, Civil Law, Medicine, or Astronomy. The duty of Fellows, at the first, was to learn, not to teach. The length of a course in Arts extended to seven years; twelve more were devoted to Theology; or, as in most cases, to proceed in Theology was demanded of the Fellows, an ordinary duration of the fellowships for nineteen years was contemplated by the founders. At the termination of this period, the student had attained the highest degrees in the faculties; he was now a Doctor or Professor; he ceased to learn, and consequently to need the aid of the founder; and, that the fellowship by that time should be vacated was generally presumed. Gradually the colleges provided teachers for the Fellows within their own walls, who were usually Senior Fellows of their own society; and from this simple beginning ensued an entire revolution, ending in what may be termed the suppression of the University. There was nothing unconstitutional in this effort of benefactors to supply the colleges with domestic instructors. By the ancient constitution of the University, every Master, or higher Graduate, was not only authorised, but required to teach the subjects belonging to his faculty anywhere within the limits of the University. The colleges, therefore, were fully entitled to select Graduates to teach their students. It was a question of mere endowment. Nor was the exclusive benefit of the members of the college aimed at originally. The Prælectors, as they are styled, opened their classes to all the University: three at Magdalen and three at Corpus were expressly founded for that object. The office of instruction was more and more secured by each college for its members. Its Fellows were gradually called upon to teach, after the attainment of the earlier degrees: the age at which Fellows were elected advanced; commoners, or non-foundation members, were introduced who needed and remunerated the lessons of the Fellows; the courses of the public teachers were deserted; *quot Collegia tot Academiæ;* and a complete transformation of the University and the colleges was the ultimate result.

The early statutes make but scanty and obscure mention of a

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class of officers who have now succeeded in engrossing all the functions and rights of instruction. Till the Laudian Code Tutors formed no part of the regular staff of a college: neither was the education of commoners contemplated at the foundation of colleges. The statutes of Magdalen and Brasennose give permission for the admission of noblemen at their own charges. Independent members were accessories, not constituent elements of a college. They were received by way of favour, and corresponded originally with our modern classes of noblemen and gentlemen-commoners. 'All Souls,' observe the Commissioners, 'where there are no members but the Warden and Fellows, 'with Chaplains and Clerks, and Magdalen, which admits only 'gentlemen-commoners besides the members of the Foundation, 'would answer to the original idea of a college as embodied in 'the statutes;' adding, with quiet satire, 'if their fellows were 'constantly resident, assiduous in college and university exercises, and observed a monastic rule.'

Such was the primitive type of the colleges, and such generally was the mode of life prescribed to the Fellows by their statutes. If we now turn our eyes to Oxford as it is, we shall find that in almost all points, the colleges reverse the picture drawn by the wills of their founders. The Fellows are no longer the sons of *the poor*. They are elected from the wealthy classes; and not seldom number among their body richly beneficed clergymen—men in the receipt of large professional incomes, and heirs to large estates. No amount of personal property compels the resignation of a fellowship. Skilful casuistry has baffled the most peremptory dispositions by declaring itself unable to discover the value of a living except from the books of King Henry VIII., or the Valor of Pope Nicholas. Community of life is broken up; and two-thirds of the Fellows are non-resident. Protestant laws have relieved them from the laborious duty of praying for the souls of their benefactors, and have required them to profess a religion which their founders would have repudiated as heretical. Fellows have ceased to study. For the most part, they are elected after they have become Bachelors, when the term of academical study under the present system has been completed; and thus, the one grand purpose for which their endowments were bestowed, is avowedly and undisguisedly abandoned. A novel institution has sprung up of which founders had no conception. Independent commoners are now the subjects of collegiate teaching. Such Fellows as reside are tutors, not students. Theology, law, and medicine are ignored as sciences. A course of three years has superseded nineteen years of toil. A happy exemption

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is enjoyed from the anxieties and admonitions of visitorial inquiries. So vain have been the most elaborate precautions to prevent change: so impossible is it to stereotype the present, and impose it by the most sacred obligations on the future: so certain that change is inevitable, and that if the healing hand of legal reform be withheld, destructive and too often immoral and criminal innovation will repeal the substance, although it may be convenient to others besides antiquaries to retain the letter of the original regulations.

If we look now to the studies of the University, and the machinery adopted for conducting them, we shall discover here also an equally formidable discrepancy between the legal and the actual constitution of Oxford. The code of statutes framed by Archbishop Laud as Chancellor, and imposed on the University by the authority of the King, under the Great Seal of England, and accepted by the University, is confessedly the law of the University. The Vice-Chancellor, Dr. Plumptre, gravely assured the Duke of Wellington in 1850, that 'the 'academic system was admirably arranged at a time when, not 'only the nature and faculties of the human mind were what 'they are still and must of course remain; but the principles 'also of sound and enlarged culture were far from imperfectly 'understood.' The magnificent truism about the past, present, and future state of the human mind, we may readily admit: let us inquire what this admirable system of study was, and how far this keen sense of its excellence has led to faithfulness in adhering to it.

'The student in the first year was to attend lectures on grammar. The lecturer was to expound its rules from Priscian, Linacre, or some other approved writer, or to explain critically some passage of a Greek or Roman author. The student was also to attend lectures on rhetoric, founded on the works of Aristotle, Cicero, Hermogenes, or Quintilian. The ethics, politics, and economics of Aristotle, and logic, were to be the subjects of the second year. Logic, moral philosophy, geometry, and the Greek language, under the Professor of Greek, of the third and fourth. The degree of Bachelor of Arts, which then, as now, could be taken at the end of the fourth year, was only a stage in the academical course, not as now its termination.

'Three more years were to be devoted to the study of geometry, astronomy, metaphysics, natural philosophy, ancient history, Greek and Hebrew, in order to attain the degree of Master of Arts. Here the general education of the University ended. Those, however, who received their professional education at the University remained there several additional years studying in the faculties of theology, law, or medicine. The necessity of taking degrees in one of these faculties was imposed on many Fellows by the statutes of their colleges. All

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resident masters of a certain standing, whether obliged to become doctors or not, were required by the statutes of the University to enter upon one of the "lines," as they were called, and to pursue it until they had arrived at a sufficient standing to take the higher degree.'

Here is indisputably a supply of rich and abundant food for the intellect, the materials of a liberal and excellent education. We share the admiration of the Heads. Such subjects thoroughly taught, during such a long course of study, might satisfy the most voracious desire of knowledge in the most ardent University reformer. But will the Heads inform us what is become of the three years' study required for the degree of M.A.? Where are the astronomy, the metaphysics, the natural philosophy, and the Hebrew? Is the pursuit of a 'line' enforced upon a single resident Master? Seeing that, as we are told, 'the human mind remains the same,' has a system lost nothing of its admirableness for this generation, when it has been shorn of many of its most important branches of learning, and of more than half the time prescribed for study? Have the Heads persuaded the Duke of Wellington that the extinction of all professional education is nothing? And the Professor of Greek too — the great ornament of the Board of Heads — one of the admirers of this ancient system — where are his lectures and his students? To how many eager youths does he unfold, during their third and fourth years, the vast stores of his profound knowledge? Whence the total silence of Dr. Gaisford?

The apparatus of instruction provided by the Laudian Code was as extensive as the range of studies. A large staff of public readers or professors was established by the University as the organ for carrying out its teaching. In subordination to these high officers, two other classes of teachers played a subsidiary part, college prælectors and tutors. The former gave lectures to the junior members of their own colleges, which in some instances, as we have seen, were accessible to the whole University. Tutors are little noticed in the academical records prior to the time of Laud. The University itself took no cognisance of tutors before the Laudian Statutes. Laud incorporated them into its system. Every undergraduate is required by his code to have a tutor, whose duty it is 'to imbue his 'pupils with good principles, and instruct them in approved 'authors: but above all, in the rudiments of religion, and the 'doctrine of the thirty-nine articles: and to do all that in him 'lies to render them conformable to the Church of England.' The tutor is charged also to look after their clothes, boots, and hair, under penalty of a fine of six shillings and eight pence for

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the three first offences of his pupils against the established regulations; and suspension from his tutorial office by the Vice-Chancellor for the fourth. The tutor is to be a Graduate, whose character is approved by the Head of his college or hall, or, in the event of dispute as to this point, by the Vice-Chancellor. The Laudian Code retained the ancient system of disputations, which the middle ages had considered the most efficient instrument of education. Nor did Laud forget examinations. One was imposed on candidates for the Bachelor's, and a second, three years later, on candidates for the Master's degree: both turned upon the subjects embraced by the lectures of the professors, whose courses were designed to prepare for those degrees.

Such were, or rather such are, the statutory requirements of the Laudian Code. The most cursory inspection of the present state of Oxford will reveal the accomplishment of a complete revolution. A few relics only of the Laudian system survive. Homage is rendered to the law by the shadowy observance of old forms, and the retention of names now grown mysterious. But the spirit has departed, and Oxford has become simply a great public school. Laud constituted the Board of Heads the guardians and trustees of his statutes. He conjured them by the most affecting appeals to guard the integrity of his institutions: but such a body was incompetent to discharge such an office. They were themselves exposed to the influences which were transforming everything about them. The constant and stern vigilance of an external power could alone have arrested changes which, though ultimately most revolutionary, were yet gradual in their progress, and doubtless commended themselves to many consciences, both among Heads and Fellows, as beneficial adaptations to the wants of a new age. The public instruction of the University was practically extinguished. The tutors, so insignificant in their origin, swallowed up the professors, prælectors, and all the other public teachers. Undergraduates lost the power of choosing the Graduates most competent to assist their studies: they were obliged to take the tutors of the college, whatever might be their qualifications. The statutes of the University ordered, simply, that each undergraduate should have a tutor of good character; which would have left the whole field of Graduates open to the choice of the pupils. But the law which required every student to be a member of a college practically limited that choice to the tutors of the college. The Fellows were appointed tutors; how could a young man vindicate his liberty against his seniors in a society into which he had been received by favour? Moreover, the University having prescribed the instruction of its professors as

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the indispensable organ of education had made no regulations respecting the competency of such subordinate officers as tutors then were: a most disastrous omission, for when the teaching gradually became confined within college-walls, the eye of the University could not penetrate beyond their gates; it lost all control over the teaching, and a race of incompetent and inferior teachers quickly overspread the colleges.

The decay of the University now went on rapidly. The active coexistence of the professorial and tutorial systems was impossible; the young men had not time and money enough for both. From the very beginning the Laudian scheme of examinations was a failure: and this failure decided the ruin of the professorial instruction. The undergraduates set no value on lectures which had no effect upon the degree. The professors lost all interest in a work which no one cared for. They were supported chiefly by endowments; the dying out of their classes under such circumstances affected neither their credit nor their pockets. The tutors were anxious to sweep away the compulsory attendance on the lectures of the professor, that they might have a complete control over the time of the students, the amount of the fees, the quality and range of the instruction, and the spirit and public feeling of the University. The continuance of the professorial system became irksome to all parties; but how was it to be got rid of? How could the rulers of the University, who had sworn to administer the law, confer degrees without the fulfilment of the positive condition annexed to them by the statutes, of attendance at a vast number of lectures required to be given by the professors during a long series of years?

A skilful use was made of the permission accorded by the Laudian Code to grant dispensations in particular cases. The Chancellor, Congregation, and Convocation all agreed to dispense *always* from *all* attendance on the lectures of the professors, and from the statutory residence for all degrees superior to that of Bachelor of Arts; and the happy Bachelor rejoiced to find that he had done with lectures and examinations; that the University pronounced that it had nothing more to teach him; and that in due course he might rise to the honours of the Doctorate in any of the higher faculties, at no other cost than the amount of the fees.

Such was the actual course of events; but let us not be misunderstood. We emphatically disclaim any intention of imputing to the authorities of the University on this occasion the guilt of perjury, or a deliberate conspiracy which consciously intended to violate its laws. We repudiate every insinuation of the sort.

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We do not conceal our belief in the bias created by self-interest in the minds of the collegiate body. Still, while we are satisfied that the revolution was the result of a natural and inevitable development, we cannot but lament that it was not carried out openly by legislative means instead of indirectly by scooping away the substance which lay under the old form; and after this, some wonder might be excused us, at statutes and oaths, which were so liberally construed then, reappearing as insurmountable objections now.

By these changes the victory of the colleges was achieved. A revolution was consummated which overthrew the University, and substituted for it an aggregate of schools. Many of the professorships were suppressed. They died easily, for they had been rendered useless; and there was no one to mourn for them. The examinations for the Master's degree was abolished; and with it perished the study of those sciences which the University had made an essential part of its education. Education in the higher faculties was entirely abandoned; the University ceased to teach theology, law or medicine, one of the chief objects for which it had received its charter from the nation. It continued, however, to bestow the empty titles of Master of Arts, and Doctor of Divinity, Law, and Medicine, for the excellent reason that important privileges and emoluments were attached to those degrees both by the statutes of the University and of the several colleges, and also by various institutions throughout the country. Even in the inferior department of the Faculty of Arts, required for the Bachelor's degree, the standard of learning was lowered to the level of the Fellows, who were now instituted Tutors. As a beam is not stronger than its weakest place, so the standard of the worst colleges became the standard of the University. The examinations were turned into a farce. The disorganisation was complete at the end of the last century, when Dr. Vicessimus Knox commenced an era of reform, which we trust is yet far from its close.

We have entered into these details at length, on account of the vital question which now suggests itself, whether the present constitution of academical studies is legal. We have seen that the conflict between the statutes of the Colleges and their practice is irreconcilable; is it equally so with the University? In case the change which we have described is deficient in authoritative sanction, the institutions ordained by the Laudian Statutes are the only ones valid in law: a fact, which, if true, involves very serious consequences. Now it is admitted on all sides that the Laudian Code is the sole binding law of the University. Whatever statutes have been passed subsequently to its promulgation

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claim for their authority legislative powers conceded to the University by that Code. Convocation has never formally repealed the institutions imposed by the statutes of Charles I.; on the contrary, the lawful existence of these institutions is presumed by the daily appeal to a dispensing power, which it is contended the Laudian Statutes have vested in the University. The authority, therefore, of the Laudian Code is recognised as binding at this hour. The Code is overthrown, undoubtedly; overthrown in its fundamental provisions; the objects and machinery of its instruction are set aside; the essence of its educational establishment has disappeared. But it is overthrown by means of itself, in its own name and by its own authority. The legislative body, which has swept away the educational institution which the Code erected, confessedly derives its existence and power from that very Code. Convocation must be supposed to have received from that fundamental charter a right of legislative innovation to the extent of even abolishing altogether the system of education which it enacted. On no other ground is the defence of the present practice of the University possible. Is that ground tenable? we doubt it. In the first place, this indirect process of undermining instead of rescinding the Laudian Enactments, furnishes a strong presumption against the legality of the proceeding. The Laudian Statute is repealed, not by a simple abrogation once for all, but by a series of special laws suspending its operation in *every* case *universally* to which it applies. *Every* degree conferred at Oxford is a *privilegium* rescinding the superior law. The process of repeal is perpetual, never coming to an end; but it is not the less effectual and complete. It leaves, however, the law on the statute-book to bear witness to its violation. Dispensation of necessity recognises an obligation from which it gives permission to depart; perpetual dispensation annuls it altogether, only by a side-wind, by evasion. Even if an unrestricted power of dispensing had been conceded to the University, the abolition of the injunctions of the law by dispensation in every case as it occurred, through the means of an unbroken series for generations of letters from the Chancellor and votes of Convocation, raises a suspicion of the illegality of the present academical system. This suspicion will gather strength when it is considered that the legislator carefully limited the exercise of the dispensing power. He explicitly distinguished between dispensable matters and indispensable. One of his prohibitions enacts that, 'Dispensations shall not be proposed for defaults in the 'time or exercises requisite for the degree of Bachelor, Master, 'or Doctor in any faculty.' Yet it is precisely by dispensations

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for such defaults, dispensations thus peremptorily forbidden, that the University has overthrown the system of education prescribed by the law, and substituted a wholly different one in its place. Matters would have stood very differently if the University had formally abrogated the Laudian scheme; for then the legality of the actual state of Oxford would have depended on the simple issue,—whether the limited legislative powers of the University had exceeded their jurisdiction. But, now what is the position in which the University has placed itself? The Laudian Code is a charter received from the Crown, and is the foundation of the University's constitution and privileges. That charter in some of its main provisions is violated by systematic evasion; and by the law of England such a violation entails the forfeiture of the charter. An abuse of its franchise, by any corporate body (except the city of London), through acts which are repugnant to the conditions on which it was granted, not only renders those acts invalid, but is also punished by the law of the land by the forfeiture of the franchise; we fear, therefore, it can hardly be doubted that the charter of the University has been placed in imminent peril by the continued abuse of the dispensing power.

But the University has gone further. It has not confined its departure from statutes within limits which may be excused by the plea of a mistaken interpretation: it has formally and directly repealed portions of the law imposed upon it by royal authority. It becomes therefore a momentous question whether it has not, by so doing, systematically exceeded its powers, and ruined its position in law.

'The Code of Statutes, entitled Corpus Statutorum Universitatis Oxoniensis, which still govern the University, was sent 'down to Oxford under the seal of Laud as Metropolitan and 'Chancellor of the University, together with letters-patent under 'the Great Seal of England, and was formally accepted by the 'University on the 21st of June, 1636. It can hardly be doubted 'that these statutes were intended by all the parties to their 'enactment to be unalterable, except with the concurrence of 'the royal authority.'

'The question of the right of the University to abrogate any 'of the Laudian laws without the consent of the Crown, was 'formally raised in 1759:' but not settled. The opinions of counsel, on a case submitted to them by the Heads, went no farther than the recognition of the right of the University, or of every other corporation, to make bye-laws. In 1836 a statute was passed by Convocation, depriving the newly appointed Regius Professor of Divinity, Dr. Hampden, of certain privi-

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leges which the Laudian Code had attached to that office. Lord Campbell, Dr. Lushington, and Mr. Hull, who were consulted on behalf of Dr. Hampden, stated that the Laudian Code was a charter in legal contemplation, and that the University of Oxford had accepted the same. There being nothing in those statutes to show that the University should have an option to accept in part and reject in part, they thought that the whole body of statutes was accepted, and, consequently, that they were binding on the University.—'In their judgment the statute of 1836 was illegal, as violating the restrictions imposed by the Laudian Code, and as passed by the assumption and exercise of a power which had not been conceded to the University.' What if a Quo Warranto were sued out, calling upon the University to show cause why its charter should not be forfeited? It is very questionable whether the University does not lie at the mercy of the Attorney-General of the day. If the Laudian Code may not be altered without the consent of the Crown, the transgressions of the University are patent; the penalty is certain; its legal right is destroyed; it lives by the forbearance of the Crown. The Report of the Royal Commission has publicly proclaimed the position of the University: it cannot be ignored any longer. It concerns both the safety and the dignity of the University that it should ascertain its true status in the eye of the law. This is not an age when any institution, however mighty, can prudently despise the public notification of so important a fact as the probable or even possible loss of its legality by men so authoritative, so disinterested, or, rather, so naturally averse to its admission, as the Royal Commissioners. Let the University take the friendly hint, not less wisely than kindly given in the Report. Let it pray 'for an Act of Amnesty, in case it has exceeded its powers in altering the Laudian Code, and henceforth have full authority to make, abrogate, or alter Statutes, with the exception of a few fundamental articles, not to be altered without the consent of the Crown, or some other superior authority.' It may be painful to come down from the high throne of legality for those whom a weak dislike of seeking the sanction of their superiors from without has betrayed into presumptuous courses. But the consideration of legality is paramount to every other. A poor and temporary consolation may be looked for, in the hope that this Report of the Commission will be shelved with other Blue Books. It is even possible, though we cannot think it probable, that this hope may for a while be realised. But assuredly so momentous a fact, or even so probable a presumption as the supposition,

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that the University has lost all foundation in law for its privileges and its acts, cannot and will not be forgotten.

We have now shown, with respect to both the University and the Colleges, the direct contradiction between their law and their practice. The inference is irresistible; the necessity for Reform has been clearly proved and officially proclaimed. No national institution can be suffered, still less the central seminary of education, to continue thus in discord with the rules imposed upon it. Above all, the interest of public morality demands that the youth of England, especially those who are destined to become teachers of religion, shall not be subjected to the corrupting obligation of taking oaths which no one thinks of observing. The prevarication by which alone this scandal can be explained seems little short of an experiment how near perjury can be approached without actually committing it. Whilst the substance of the Statutes is violated, and the intention of the original lawgiver disregarded, the outward forms which he prescribed, and the solemn sanctions by which he sought to enforce obedience, are retained. Heads, Fellows, and Scholars are required by their colleges to pledge their faith, under direct appeals to the Almighty, often within the hallowed precincts of the college-chapel, to the performance of acts which every one of the parties present knows will not be performed. The religious feeling of our age, which has taught men reverence for truth by sweeping away unmeaning and habitually violated oaths from many of our civil institutions, will equally require of Oxford agreement between word and deed. But for this the interference of a higher power is indispensable. Parliament alone has the power of effecting complete University Reform.

There are two courses which would remove the evils we have described: either academical practice may be brought back to strict conformity with the Statutes, or the Statutes themselves may be altered to suit the circumstances of our time. The former alteration is impracticable. The observance of the injunctions of collegiate founders is impossible. Even if the general idea of their institutions were adhered to, the carrying out the minute rules which they lay down regarding the details of life would be ridiculous and absurd. The Laudian Statutes are removed from us by a less distant antiquity, and no doubt obedience in this case is practicable to a much larger extent. Nevertheless no sane man could desire a literal fulfilment of the Laudian Enactments. If their enforcement is inconceivable, surely the re-modelling of them is inevitable. But to whom does this great function belong? To the State, and the State alone, whether it be represented by the Crown or Parliament. In the case of

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the University no right can be pleaded either to bar out the interference of the State, or to limit its exercise. The University is a public corporation; it received its powers and its privileges from the State; its functions are public; and the discharge of these functions is the very object of its institution. Like every other public corporation, it cannot but be perpetually amenable to the control and visitation of the Commonwealth of which it is a member. The University no more possesses a private and inalienable right to conduct the public education of the country, and to confer degrees recognised by the law, than the old Municipal Corporations had to the elective franchise, or the watching and lighting of their towns for ever. The University may plead against the policy of interference, or of the changes sought to be introduced; but that a perpetual corporation, clothed with public trusts, should be the sole and final judge of the reforms which it may need, is too extravagant a proposition to be reasoned against. With the State alone can rest the determination of the expediency of interference, as also of its frequency and extent. As the case now stands with Oxford, the public voice, we are confident, must demand the interposition of that supreme authority to amend either the law or the practice. The two must be made to coincide. But were the practice of the University in complete harmony with its Statutes, there would still be urgent need of the reforming hand of the State. The public mind has long been dissatisfied with much of what it heard concerning Oxford, and the Report of the Commission has confirmed its opinion. The constitution of the Academical Government, the quality of the education, the machinery for imparting it, the discipline both of the University and Colleges, and the cost of residence, are all shown to be susceptible of very important improvements, which the University wants either the power or the will to effect: can it be doubted, where the State is so deeply interested, that it is no less its duty than its right to interpose?

As regards the Colleges, a special plea is advanced for the purpose of shutting out State inspection. It is contended that they are private foundations, for the benefit of particular persons, resting not on the grant of the State, but on the wills of those who bequeathed their money to this object. The sacredness of testamentary right, and the inviolability of property, are accordingly invoked for their protection. An appeal so unreasonable and dishonest does not deserve, and scarcely admits of, a serious answer. In the first place, the endowments were at their creation coupled with a solemn trust; and the present members of a college can ground no exclusive title on the strict interpretation of the terms of its first foundation, unless they

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show that they are complying with its founders' will in the express fulfilment of the trusts confided to their charge.

On the supposition of the parties being sufficiently unconscionable and ill-advised to set up against the State the pretext of representing their founder, and the bond of obligation of carrying out their founder's will,—what, on accepting this issue, will be the kind of remonstrance which the merits of the case so alleged by Heads and Fellows must force from an indignant public? 'You plead rights conferred 'by private trusts; by your trusts ye shall be judged. Hence-'forth ye shall all keep regular residence within your colleges. 'Gentlemen of Queen's, New College, Lincoln, and others, ye 'will be pleased to hold disputations often in each week in your 'college halls. Such of you, Brasenose men, as possess four 'pounds a year of income, vacate your fellowships forthwith; 'and you, the Principal, see that you receive not more than five 'pounds a year for your office, besides a shilling a week for your 'commons. Take heed too, that your Fellows touch not a far-'thing beyond that sum. Ye Fellows of Merton, be content 'with fifty shillings a year. Gentlemen of New College, 'Magdalen, All Souls, and Worcester, we hope to see a large 'increase in the number of your fellowships: your revenues are 'known to have been vastly augmented: you would be shocked 'to violate the prohibition of your benefactors by dividing the 'surplus among you. Gentlemen all, we commend you to your 'devotions; and require you to pray diligently for the souls of 'those whose money was left you for their speedier deliverance 'from purgatory.' 'It is against our consciences,' is the universal reply, 'to pray for the dead: we cannot go against our con-'sciences.' 'True, gentlemen, but you claim to stand on your 'private statutes, not on that against superstitious uses,' rejoins the State. 'No one compels you to be Fellows. If you 'cannot fulfil the conditions, vacate your fellowships, and if 'there is no qualified person to hold them, the trusts will lapse 'to me: and it will then be for me to consider, at my discretion, 'how best to dispose of them.' Which of the colleges must not capitulate upon such an assault? Which of them would not lie prostrate at the feet of the State? So obvious is it that the public is authorised to exact the literal observance of every public trust; that it alone has the right of altering their provisions; and that a prayer for such alteration surrenders the whole of the trust to be remodelled. He that can abrogate can add; nay, addition may be the necessary condition of healthy abrogation. The supremacy of the State in varying and discharging corporate trusts, as exemplified in this extreme precedent, of course includes every minor exercise of a similar jurisdiction.

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The *argumentum ad hominem* is conclusive, personally, against the present holders of collegiate endowments. They have no academical position except what they have derived from the authority and interference of the State. From this source alone their own title is derived; for if the intervention of Parliament had not opened the door, not one of these gentlemen could have gained admission into their colleges, or touched a shilling of college payments. The transfer of the endowments from Roman Catholics to Protestants puts them out of court, as regards any attempt to contest the right of the State's interference. There is no lack of Roman Catholics, and less in all likelihood of late at Oxford than any where else in England, ready to carry out the purposes of the founders. The University might have been wholly separated from the present colleges; or a new university founded elsewhere. And according to the religious belief of the Roman Catholic founders, a heavy loss is inflicted on the founders themselves, by depriving their souls of the benefit of the prayers of the Fellows. Is it not plain, therefore, that the State, upon grounds wholly irrespective of the wills of the founders, has reconstituted their trusts? or, in other words, that the State has pronounced the ancient trusts to be no longer capable of being administered, and to have lapsed to itself? It has framed new trusts, which rest upon its own authority alone. How those who have received these trusts from the State can repudiate its right of interfering again on the same grounds, whenever it thinks that circumstances call for revision, is more than reason or equity can understand.

It is frequently alleged, that the State, at the Reformation, did only what it might be fairly presumed the founders, had they been alive, would have done themselves: that they would have turned Protestants with the rest of the nation, and would have been the first to desire a remodelling of their statutes. The reply is easy. In the first place, it is not certain that the founders would have become Protestants, much less that had they adopted the new creed, they would have wished to found any colleges at all. And, secondly, those who are so foolish as to use this argument do not seem to be conscious that they expose themselves to the crushing retort, that the State, on every occasion of reform, equally may presume that the modifications it proposes would have been desired by the founders. Indeed, the latter presumption has far better ground to stand on: for while there is a strong anti-Protestant spirit in the statutes of most of the colleges, it is joined however with a most decided desire in all, to render the colleges as efficient as possible according to the ideas of the times. The statutes of the Oxford founders, to their

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honour be it said, are distinguished by the truest spirit of reform, and by the most resolute determination to put down every species of abuse and inefficiency. It is not from that sacred fountain that the dons of Oxford have imbibed their dislike of innovation and improvement.

But the paramount right of the supreme power of the State over all institutions within its dominions by no means depends either on its right to ascertain and regulate any special trusts, or on the extent to which the parties interested may be estopped and compromised by their own conduct and position. The supposition that any preceding age can be trusted to put a country into mortmain, and by immutable legislation stop the way against all succeeding times, is no less contrary to the progressive nature of man than to the varying necessities of society, and to the practice of all commonwealths.

Property belongs not to the dead, but to the living; and every generation, as it follows, will be wisely left with power over it. The right of disposing of property by will is not an inherent right in man, but a political regulation ever subject to the control of society. It is modified, in the case of private property even, in a hundred ways in the various nations of the world. In France it is taken away altogether in respect of land. No wrong can be done to the dead; they have done with this life: and are incapable of receiving either benefit or injury. By our English law, which boasts of its hatred of perpetuities, at the end of a life or lives in being, private property, however strictly settled, is set free again, and returns to the will and pleasure of its immediate possessor, takes the current impression of the contemporary society, is moulded to its wants and inspired with its spirit. But corporate property is held under other terms than the choice or caprice of its individual possessors: and a prolonged existence can be conferred on it, consistent with the interests of the public, only on the supposition that the public reserves to itself the right, and according to occasion exercises it, of regulating all corporate institutions, their privileges and endowments, in whatever manner it shall be conceived that circumstances may require. We said more than can be necessary on so plain a point, in an Article on *Political and Vested Rights*, as far back as June, 1831; when the cry was got up in behalf of rotten boroughs of another kind. No founder can be permitted, or should be presumed to have desired, to legislate against the opinions and policy of future generations. All that reason and justice can suppose a man, claiming to be called a benefactor, to have expected is, that before the character of his foundation should be altered, it shall be clearly shown that the

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alterations are expedient; in which case surely the existing members of the foundation can raise no possible claim for consideration and exemption beyond their respective lives.

And now, we think, we have shown that the ground is clear for effecting such amendments as shall enable the University and its colleges adequately to fulfil the noble objects for which they were created. National expediency of the broadest and most comprehensive character, solemnly weighing the past and the present, the intentions and institutions of founders on the one side, and the services which these public bodies are capable of rendering to the nation on the other, are the sole standard of rational reform. It is not the literal revival of the past which is needed: but neither is it the realising of a speculative ideal. Oxford, as it is, is the true basis and starting point of the academical reformer. And supremely does it behove him to possess a deep insight into the nature and essence of our Universities, to be thoroughly impregnated with their proper spirit, and to seek their improvement in the temper of a man who burns to remove blemishes from the object of his reverential affection. For conspicuous as are the shortcomings of the English Universities, their excellences are of the highest order. Where else is the training of the young carried on under influences so varied and harmonious, so well calculated to be truly educating of what is noblest and best in man? The youth of England are reared in them amidst living memorials which present to the eye of the imagination in undying freshness the antiquity, the continuous life, and the greatness of their country. The dead and the living address the young together; and combine in moulding the characters and sentiments of successive generations. The splendour of the architecture, speaking with the voices of many ages; the munificence of founders, attesting the magnanimous liberality of England's ancestors; the solemn cloisters, the gothic halls, the venerable chapels, the intermixture of different ages, the surviving fame of literary greatness, the union of subordination with independence in college life, inculcating the manly self-reliance with the love of order, which honour the British people, the intermingling of the flower of its aristocracy with the scions of the great professions, the gentlemanly tone of social feeling and social habits,—in a word, the spirit of religion with the spirit of antiquity and the spirit of modern life; where else can powers of influencing, so rich, so inspiriting, and so genial be found, training up the young in a discipline worthy of a great and civilised people? To violate or extinguish any of these influences would be to commit treason against England. To innovate, in an uncongenial and unsympa-

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thising spirit, would be to mar and ruin, not to reform. To feel profoundly how much this mighty organisation is capable of accomplishing; to maintain it in perpetual youth; and to invigorate it with the ameliorations which wisdom suggests, is the task and the glory of the University reformer.

In examining the recommendations which the Commission has made for fulfilling these great objects, we shall first of all consider Oxford as an educational establishment solely, as the first, and greatest of our public schools. This is its most important aspect. It is one of the great ports through which the most influential classes of the nation are ushered into the world. The stamp which it imparts upon them, the sort of men which it makes them, are the points which concern the nation most vitally. Now there are two distinct kinds of instruction which a University may be called upon to provide: first, that general culture which befits every well-trained man, and constitutes a liberal education; and, secondly, that more special knowledge which is required by each particular profession. The second kind of teaching, we have seen, lingers now only in idea and recollection at Oxford, the memory of its former existence being preserved by the degrees in theology, law, medicine, and music, which are still conferred by the University. The function of the University is now practically limited to the communicating of that preliminary education which is the best foundation of all professional training. On the discharge of this most important duty Oxford takes her stand: on this she rests her title to the enjoyment of her corporate rights and her civil privileges. The object of such an education is to develop and discipline the mental faculties, to impart by exercise a ready and complete power of using them, to form habits of accurate thinking, to store the mind with a general knowledge of human nature in its various relations, and to fortify and elevate the character by moral discipline. For the achievement of this high task, a well-chosen system of discipline, studies, and teachers, is the requisite instrument: and this Oxford professes to furnish in an organisation which comprises residence within the walls of a college or hall, examinations in specified subjects, and a long and elaborate course of instruction by tutors. The tutorial system, as the chief organ of teaching, is peculiar to the English Universities. Although it is a machinery belonging to schools rather than to Universities, it is nevertheless one of great power and value in the conduct of academical education. In its behalf are pleaded the immediate connexion between the tutor and pupil, the personal and moral relation subsisting between both, the close superintendence of the tutor, his lively interest in the progress of the pupil, the

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direct responsibility of both parties to each other, the community of enthusiasm founded on a real partnership in the ultimate results, the strength of the college bond identifying the student with his college, and animating him with the consciousness that he is contending for the honour of his college, as well as his own, the discipline of a small class, the accurate performance of regular work in particular books, the daily examination and systematic progress of the pupil, the stimulating of the intellect by the searching power of the catechetical method, the compelling of the student, by questionings which prove his ignorance or imperfect comprehension, to think for himself and to master effectually his subject — the laborious but invigorating training of the understanding, rather than the more pleasant, but more superficial process of imbibing general views through the memory. Such a system, when vigorously carried out by men who know its resources and are competent to the task, furnishes a discipline and educational development of inestimable value.

But there is a reverse also to the picture. The defects incident to the tutorial system are neither few nor unimportant. Some are inherent in its very nature: but these defects in the system have been fearfully aggravated by the unfavourable influences which weigh upon its working at Oxford. Tutorial teaching is better suited to the mass than to the best men, who are chained down to the level of the class. Much of the work of a college lecture-room will be inevitably unimproving to the able and vigorous student: and even in the best colleges the disposition of the most promising men to break away from the college lectures is decided and irrepressible. If the tutor seeks to avoid this danger by increased rapidity of work or the communication of superior knowledge, he passes into a professor, the body of the classes is neglected, and the peculiar benefits of the tutorial method disappear. Moreover, the Oxford tutor is, and never can be any thing else than, a schoolmaster. The character of his work, the confined extent of his college and his classes, his subjection to examinations, dependent on the acquisition of accurate knowledge of particular books and limited portions of general subjects, irrevocably enrol him in the rank of schoolmaster. Extensive learning is a qualification not only not needed by his profession, but is one which might be even injurious to its efficiency. Success at the public examinations is the key-stone of the academical arch: this it is which every student seeks. What will prepare him to win it is all he cares for. The offer of knowledge, however excellent, which does not contribute to this end is received with impatience, as beyond the one paramount object of academical life. The ultimate issue, therefore, of the whole process is a school

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administered by schoolmasters: and if the work of the University is limited to this scholastic action, the excellence of a school must be its highest ideal. Great learning, original thought, independent pursuit of knowledge, will have no regular and incorporated place in its system. The instructors will be young, temporary, ever on the look-out for advancement in other than the academical sphere; and that in a degree exactly proportionate to their ability. The line of tuition can offer no career to a man conscious of superior powers: its remuneration must of necessity be very limited, and it leads to nothing in Oxford. Able and conscientious men will doubtless discharge the duties of their office with zeal and success: but the University supplies them with no motives for self-cultivation and self-improvement. Thus the benefits of the tutorial system are purchased by the intellectual sacrifice of the tutors themselves. And under such a system the University will not be the depositary of the nation's learning. It will not determine the spirit and direction of the literary life of the people. It will possess knowledge only at second hand; depending for its most influential books, its intellectual progress, its critical, historical, and philosophical principles, on the intellectual activity of foreigners, or of classes within the nation, whose moral and literary culture it is supposed to look down on. It will cease to guide national opinion, reversing the precedent of its own history, and abdicating one of the noblest prerogatives of a University. These are evils inseparable from an exclusive adoption of tutorial teaching: but they are mischievously aggravated by the conditions under which it is worked out at Oxford. The University is converted into twenty-four independent schools, connected together solely by the link of the examinations. It compels every student to reside within a college: but does not care by whom or how he is taught. If the candidates of any college fail to come up to the standard of attainment at the examinations, it simply 'plucks' them, or awards them no honours: but it never inquires into the competency of the tutors who have been more or less responsible for the failure. No security whatever for good teaching is taken by the University: the determination of the character and quality of the authorised instruction is wholly abandoned to the discretion of each college: a surrender of right and duty unparalleled, we believe, in any University out of Britain. The colleges, in the enjoyment of unrestricted liberty, and exempted from all responsibility, secure a monopoly of the tuition, not only for their own Graduates, but for a very small portion of that body, the Fellows. On the other hand, the appointment of fellowships is fettered by the statutes

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in numberless instances by restrictions narrowing the choice. These restrictions are frequently observed in the narrowest possible spirit, and respect for intellectual and academical merit wholly disregarded. Under the most favourable circumstances the tutorial must be an inferior race to the professorial: but Oxford has been guilty of the singular and perverse folly of taking no pains to prevent her official instructors from being the most inferior members of that inferior race. From this prolific source innumerable evils have flowed in upon the University. There is no cause so certain to produce degeneracy in institutions as the inferiority of their administrators. Superior men may triumph over the badness of their instruments: inferior men ruin the most excellent machinery. The standard of tuition quickly fell; the colleges, and Fellow-tutors, conscious of their own disqualifications, came to speak without shame of the badness of the college's tuition, as if it were an unavoidable misfortune inflicted by the wills of founders. But it did not occur to them that if they were themselves incapable of teaching, they could easily procure competent tutors from among the general body of Graduates. A low state of the college lectures led to a ready facility in receiving new members. The inconvenience of having too many of its undergraduates plucked was the only check felt by the tutors in admitting the most ignorant youths to their lectures; but that inconvenience was got rid of without much difficulty. The public examiners were selected from college tutors; and it was impossible for these to condemn the body to which they belonged by a rejection *en masse* of students who had studied three years under their superintendence. Low teaching necessitates low examinations; and low examinations enable bad colleges to dispense with adequate attainments at matriculation, and to fill their rooms with undergraduates who would not be admitted into any decent fifth form in the kingdom. Promotion through the classes of the High School at Edinburgh without any examination, as exposed by Professor Pillans, is scarcely worse. It is marvellous that such a system should not have ruined every college in Oxford; and the highest credit is due to the energy and public virtue of the staffs of those colleges which by a long course of laborious efforts have achieved brilliant success under institutions holding out such temptations to sloth and neglect.

It is clear from this statement that the tutorial system has not had a fair trial at Oxford. The administration of their own scheme of instruction by the colleges of Oxford has been absolutely suicidal: but the corruption of the administration must not be confounded with a radical unsoundness in the system itself.

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Justice and expediency demand that we should distinguish between the institutions of Oxford and their abuse; and that we should endeavour to discover the path which reform ought to pursue by ascertaining what the present system, if honestly administered, is capable of effecting. That Oxford, as it is, produces some excellent fruit, is confessed on every side. The greatest disparity exists between the efficiency of the different colleges; and the causes which have brought about the success of the most distinguished colleges lead to two of the most important recommendations of the Commissioners. The colleges whose pre-eminence stands highest are characterised by the largest proportion of first class tutors, or by the possession of a considerable body of scholars chosen for merit, or by both. The scholars of Balliol have been quite as effective as its open fellowships in raising that college to the summit of academical fame. The nation has a right to demand that the same efficiency shall be extended to other colleges. The Commissioners do but express the public feeling when they advise that the same causes which have conferred so high a value on the education of Balliol shall be set in operation all over Oxford. One of their proposals — an increase of the number of scholars in every college, to be appointed by a trial of attainments — will encounter no other difficulty than that of providing funds for their endowment. But the other proposal — that all fellowships, with a few exceptions, should be thrown open to all members of the University, of whatever lineage or birth-place, and all scholarships to all Her Majesty's subjects, — will, we fear, meet with a resistance as fierce as its object is excellent. The opening of the fellowships to the best men in the University is the surest means for raising the character and attainments of the Fellows. The election of the best men to be Fellows will supply throughout all the colleges the best tutors which the whole University contains; whilst the improvement of the Fellows will be the most effectual guarantee for the prevalence of a high public spirit in the management of the colleges. 'Every other recommendation we propose,' say the Commissioners, 'depends in a 'greater or less degree on the removal of restrictions on elections 'to fellowships.' The extent of the evil may be estimated by the fact that out of 542 fellowships 22 only are open to general competition.

The favour shown by benefactors to particular localities has in great measure lost its motive under the altered circumstances of the country. The facilities of locomotion acquired in modern times and our social habits have brought the several parts of England into practical neighbourhood to each other. The whole kingdom is now pervaded by the same influences; so

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that no locality needs on account of its remoteness a special stimulus or the bestowal of particular advantages in order to place it on a level with the remainder of the country. The universal abolition also of restrictions will compensate the losers of limited fellowships by the access they will obtain to the much larger number of fellowships from which they are at present excluded by restrictions: and there is much force in the remark of Archbishop Whateley, that, 'in many instances, those 'restrictions *generated one another*. If *one* founder provided 'for his own kindred or county, another thought he must do 'the like for his, and another for his, &c. If all these founders 'could be recalled to life, and it were proposed to one of them 'to throw open his fellowships (suppose) to Cumberland and 'Westmorland, on condition that another should open his to 'Devonshire, and so on, it is likely the parties would *agree*.' The Archbishop's view is borne out by the second founder of Lincoln College, who declares that he was 'not blinded himself 'by an odious carnal affection for the natives of Lincoln, but 'that he restricted the fellowships to them because they were 'excluded from other colleges by that "carnal blindness" in 'others.' That diocese is now the best endowed in the University.

There remains a class of restrictions for which the reasons continue to be as valid now as they were at the time when they were created; the appropriation, namely, of scholarships to schools. Such scholarships or exhibitions, when awarded upon open competition to the whole school, especially if the examinations are conducted by examiners appointed by the University, powerfully stimulate the industry of the school, raise its character and dignity in the public estimation, and confer on it a reputation which masters and boys are eager to sustain. Such an examination has all the virtue of an annual inspection, a virtue admirably illustrated in the schools inspected by the Privy Council. It is looked forward to as the great event of the year, as the test of the school's efficiency, and as the reward of long continued efforts to acquire its distinctions and its prizes. Such a distribution of scholarships is one of the most efficient instruments which can be devised for elevating and keeping up the standard of education throughout England. We are glad, therefore, that the Commission proposes to retain the scholarships which connect particular schools with colleges at Oxford; such as Westminster with Christ Church, Winchester with New College, and Merchant Taylors' with St. John's. Such a connexion is beneficial if only care be taken that the number of such scholars shall be small when compared with the whole body of students educated at the college.

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But the removal of restrictions on the eligibility of candidates is not the only measure which is required for filling the Fellowships with the best men which the University can supply. A still more important instrument for improving the Fellows is purity of election. The quality of the Fellows and the character of the colleges at Oxford have been far more degraded by the low and selfish feelings which have corrupted the elections than by any limitations imposed on the field of choice. Justice has been done neither to the founders nor their statutes. Personal favour, provincial feeling, the selfish conversion of trusts into private patronage, the spirit of faction, have all actively contributed to trample upon the intentions and even the expressed injunctions of founders.

'Colleges in which a strong local or class feeling prevails, and which are chiefly composed of persons elected without reference to their literary merits, so far from availing themselves of such discretionary power as they may possess for opening fellowships, are apt to draw restrictions still closer than the statutes enjoin. At University College it was not till 1837 that its four open Fellowships were made available for other than natives of Yorkshire or Durham, to whom only a conditional preference had been assigned by the founders. At Queen's the strong expression of the founder's desire to open his college to all the world has had no practical effect: whilst a preference to natives of Cumberland, which was granted, in part at least, because of temporary circumstances, has been construed into an absolute exclusion of all others, and has thus been allowed to impair the usefulness of the Society to the present moment. The other restrictions which the founders imposed are disregarded. The scholars of this college have by the statutes a preference in election to fellowships; but in practice the fellowships are entirely confined to those who have been scholars; and till lately they succeeded to fellowships without any examination. A similar evil is sometimes found, when the elections being in a few hands, the electors are able to combine easily, and thus to turn what should be the impartial judgment of a majority into a nomination by each of the electors in rotation. At Christ Church, the students, those from Westminster excepted, are nominated by the Dean and Canons in turn, the Dean having two turns. It is true, indeed, that many of these dignitaries, especially the Deans, both in present and past times, have taken pains to make creditable appointments; but it is notorious that studentships are often given as a matter of favour, and that the relatives or friends of Canons are likely to be preferred in that great college. Balliol, which now enjoys so high a reputation, was at the beginning of the present century regarded as one of the worst colleges in Oxford. Its fellowships and scholarships, which were long bestowed as matters of personal favour, were, we believe, first thrown open to public competition by the exertions of its late and its present head. It is well known that nominations to Winchester College, and thus

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eventually to New College, are not seldom promised within a few days from the birth of a child: and parents of the founder's blood are obliged, like all others, to make interest for a nomination. The electors of Merton and All Souls' Colleges are but slightly confined in their choice of Fellows; but it has been long felt in the University, and the feeling has not wholly passed away, that it would be useless for candidates, however qualified, to present themselves, if their claims were not supported by personal interest or high connexions, a practice for which the statutes furnish no ground. Magdalen College, from its situation, its buildings, its vast revenues, seems to be marked out for the first academical institution in Oxford. Its actual importance as a seat of education is amongst the least important. This inferiority is due in part to local restrictions. But this is not all. Besides the obstacles to its usefulness, which are found in the statutes, there are others introduced by practice, which the statutes not only do not enjoin but forbid. The three fellowships which the founder assigned, free from all restrictions, to the ablest teachers of divinity and natural philosophy to be found in the whole University, have been long bestowed on ordinary candidates. A very distinguished scholar (so we are informed by Mr. Senior) would not be rejected, nor a very bad one admitted; but as to candidates of an intermediate character, success depends on the favour of one of the small number of college officers, who nominate to them. The persons, so elected, are by statute to hold their demyships till their twenty-fifth year; but, according to the present practice, persons once elected to demyships are allowed to retain them till they succeed to fellowships.

'"These cases," as Mr. Jowett observes, are a "disgrace and abuse "peculiar to Oxford. At Cambridge such elections are said to be un-"known." They are in Oxford, as he says, "happily confined to "certain colleges."'

This is a very weighty statement. Mr. Jowett is perfectly correct when he remarks, 'that any measure of University 'Reform which left this evil (elections from favour) untouched, 'would accomplish but little.' It is vain to sweep away restrictions, to invite all the world to the competition, and to conjure electors by the most solemn appeals to religion and honour, if a low moral feeling, a long continuance of abuses, the connivance of visitors, the example and countenance of their neighbours, are to be allowed to deaden the consciences of electors, and render then insensible to the call of duty and the censures of public opinion. A better security must be taken than the morality of a corporate conscience. The preceding quotation strikingly exhibits the excellence of which Oxford, even without any alteration in its system, is capable, if only the will were present to work its institutions to the best advantage, and the uselessness of the most admirable statutes, if no practical guarantee exists for their observance. What has prevented Christ Church and Magdalen from eclipsing the splendours of Balliol, and rendering

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services to academical education which would have made their names honoured and reverenced throughout all England, except the low sense of public duty and the corrupt practices of their electors? What more significant and natural illustration of the state of feeling sure to prevail in such societies than the brief sentence with which the Commissioners open their meagre account of each college? 'From this college we have received 'hardly any evidence.' How could any be expected?* For the remedy of this cardinal evil, the Commissioners propose to entrust the election of Fellows and Scholars in the small colleges to the whole body of Fellows, and in the larger ones to Boards of Election, consisting of not less than twelve, of which all the active instructors should be members. These suggestions, though good in themselves, virtually amount to an expression of despair of being able to secure purity of election by merely mechanical arrangements. The example of Cambridge seems to warrant a hope that if once a right public spirit is awakened the fellowships will be filled up on the principle of merit. Yet we cannot say that we are satisfied with the adequacy of these precautions. They give no practical protection against the danger of a relapse into a system, the temptations to which have so long prevailed. The Commissioners reject the proposal of a right of appeal to the Visitor: rightly in our opinion; for Visitors are strangers to the University, and will seldom disturb the judgment of the collegiate authorities. But we think that the construction of a Board of Appeal would be a very desirable institution. The Board to be composed of three members, elected by all the persons engaged in teaching in the University, one member to go out in rotation every two years, and not to be re-eligible till after the expiration of another two years. Its operation to be limited to fellowships. A rejected candidate to be entitled to demand that his papers should be referred to the Board: and the Board to have the power, if it shall think that there is a strong presumption of an improper election having been made, to order a re-examination of the successful and the appealing candidates. In case the same person should be re-elected, and the appeal be reversed, the Board, if it perseveres in its opinion that unfairness has been committed, to be authorised to examine the two candidates themselves, and their award to be final. It is very improbable that such a Board would be often appealed to, after it had once established itself in

* One high-minded man in the seniority may do much; as Lord Langdale at Caius, in the case of the Perse fund: but there must be one. Lord Langdale's Life, vol. i. p. 295. His very lenient judgment on the case closes the second volume.

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public confidence; whilst the fear of it would be a wholesome check on the proceedings of Fellows.

There are other measures besides, which might improve the efficiency of tutors; such as the competition of new halls, the diminution of the size of their classes, and the limitation of their teaching to one or two subjects only. The two latter processes are gradually extending themselves in Oxford; but the present system necessarily confines them within narrow limits. They are suited to large colleges only; and they would require an increase of the number of tutors, for whom it would be difficult to provide remuneration. The average income of the Oxford tutors is not more than they ought to receive; nor ought the fees paid by pupils to be raised.

But tutorial efficiency, even when raised to its utmost height, falls greatly short of the improvement which the University needs in its system of teaching. There are serious defects inherent in tutorial instruction, which the revival of the Professoriate can alone adequately remedy. By the decay of the Professoriate, one of the two primary functions of a University, the cultivation of profound learning, has been almost entirely abandoned. Study, and self-improvement, and original investigation, are sacrificed to the educational office. The interest of a school, and the advancement of the undergraduates, are alone thought of: the intellectual progress of the tutor is unprovided for, or rather effectually prevented. Extensive learning is not called for, either by the wants of the lecture-room, or the necessity of preparing for some future sphere. The tutors, as a body, are ever on the look-out for an opportunity of leaving the University. Many of the ablest men refuse to engage in an office, which is neither a line of life in itself, nor qualifies them for any other profession. The expansion of the nation's wealth multiplies the temptations to forsake the University; and the complaint grows louder every day that tutors are becoming younger, and more and more derived from Graduates of secondary ability. The University, accordingly, is stripped of literary greatness; and abandoned to hard-working schoolmasters or indolent dignitaries is compelled to borrow its literature, its text-books, its authoritative commentaries on the philosophy, history, poetry, and divinity which it studies, the fundamental principles of its criticism and of its intellectual life from without, from foreigners or non-residents; whilst the nation loses that learning, so more than ever important in these days of commercial growth and material prosperity, which the University was specially designed to encourage and perpetuate. The absence of literary chiefs of acknowledged supremacy in their several departments leaves the academical youth exposed to incessant

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fluctuations of opinion without guides to control them. The University thus falls a prey to 'conceit of knowledge where 'knowledge is not,' to 'tumid verbiage,' to a shallow jargon in philosophy and theology, and to religious agitations violently rebounding between popery and scepticism.

These are evils which no tutors can remove, and wants which it is impossible for them to supply. An active Professoriate is the remedy suggested by the almost unanimous opinion of the evidence. The Professor is the true element of progress and learning in a University. Many conditions, however, are necessary to the success and efficiency of a Professoriate. The failure of the Laudian system holds out a memorable warning that the establishment of a staff of Professors and the most peremptory decrees requiring attendance on their lectures are not sufficient to save them from decay and insignificancy. Adequate attractions of emolument, influence, and station must be offered to induce the most eminent men in the University to accept professorships as the great business of their lives. Further, the mode of appointment to them should be such as to call forth a progressive course of study and improvement in specific departments of knowledge, as the indispensable qualification for obtaining them. They should be so arranged, as that the young Bachelor, on emerging from a state of pupillage, should be able to select some professorship, as the worthy object of his ambition, and to find that his position and labours in the University are a constant preparation for the discharge of that high office. The intermediate space between the bachelorship and the professorship must be converted into a nursery of professors. Above all, the professorial teaching depends not only for vigour and efficiency, but even for existence, on the vital condition, that the system of the University's studies and examinations shall be so constructed as to render that teaching the practically best and most efficient instrument for obtaining the honours and prizes of the University. If this peremptory law be not fulfilled, the inevitable result will be the exemplification of the familiar proverb, that a child may lead a horse to the water, but twenty men cannot make him drink. If the professor's information is not the key by which entrance is gained to first classes and fellowships, there will be no demand for it. It will be uncared for, and even fled from, if possible. The great professor will succumb to the success-bestowing energy of the private tutor. He will fall outside the line of study and regular business of the University. He will lose interest in his work; his office will collapse into a lifeless form or a sinecure; it will create no career for academical improvement and advancement;

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it will call forth no following, no progress; and the University will quickly lose its learning and its distinguished men.

The proposals of the Commissioners amply satisfy the first condition. They recommend the division of the professors into four boards for the regulation of studies; and give them a prominent place in the House of Congregation, on which they bestow the prerogative of initiating academical legislation. They propose the formation of the requisite number of professorships, partly by amalgamation and suppression, and partly by creation; and they provide adequate endowments for them 'by placing 'professorships in certain colleges, according to the precedent 'set by the founders of Magdalen and Corpus.' With regard to the second condition, they propose the establishment of a body of assistant-professors or lecturers 'subordinate to the pro-'fessors, yet lecturing on the same subjects, and, if need be, 'acting as their deputies or substitutes. . . . . Such an interme-'diate grade would at once serve the purpose of opening pros-'pects of advancement to the tutors, collegiate and private, and 'would act as a wholesome stimulus to the professors themselves, 'and would, to a great degree, supply the demand which is now 'supplied by private tutors often with detriment to themselves 'and their pupils. Some such body is found in all foreign 'Universities, where the instruction is mainly carried on by a 'professorial system.' This intermediate staff of lecturers is a change of first-rate importance. Through its agency mainly most of the benefits of the professorial establishments can alone be communicated to the University. Professorial teaching would be of little value without the lecturers. The office of the professors is to supply general views, broad principles, the outlines of the sciences, the direction of the studies, the extension and growth of knowledge, independent researches, and the intellectual advance of the University. But to the lecturers we must look for good and practical teaching — for personal aid — for direct preparation for the examinations — for the watching, facilitating, and stimulating the progress of the pupils — for the imparting the feeling that they are getting on and are likely to obtain the honours which they seek. Without lecturers, professorial orations might become brilliant displays of genius and eloquence, gratifying the ears of thronged audiences, while producing no solid work — no careful and painstaking study—no accurate and systematic education. On this account, we attach the highest importance to the right organisation of these intermediate teachers. If such an institution took root, it would be the seed-bed of professorial excellence. It would open distinct lines or professions to those who proposed to devote themselves to an academical career: and might succeed in remedying one of the

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most grievous defects under which Oxford now labours. A young Bachelor would select the department of literature best suited to his taste and his talents: his work as a lecturer would be an unceasing exercise for the office of professor; he would go on deepening and ripening his knowledge, keeping up a vigorous self-improvement, and acquiring daily his own self-respect and that of the University. The University would be enriched with a body of mature students in each faculty of the highest excellence; and the aspect of Oxford would be wholly changed. The lamp, so lighted, would be passed on from one academical generation to another; for the next professor would be already designated by the success and ability of the lecturer, and by that public opinion, which, under such a system, must be irresistible.

But, as we said, the vitality of both lecturers and professors depends on the third and most essential condition — their real incorporation into the regular business of the University. We regret that we are compelled to think that the recommendations of the Commissioners do not make adequate provision for this capital point. They contemplate the joint action of professors, tutors, and lecturers; but they have not defined their several spheres, nor marked out the precise limits of their work; they have not laid down where one was to end and the other to begin. Such a simultaneous and undefined co-operation would, we are convinced, end only in the common ruin of all three under the remorseless attacks of the private tutors. The steady undermining of tutorial importance and teaching by the private tutors under the present system, both at Oxford and Cambridge, hold out a warning which ought not to have been disregarded by the Commissioners. Mr. Jowett gave them the right rule:—'The 'lecturer begins the work which the professor is to take up and 'complete. The former will have more time for personal ac-'quaintance with his pupils, whilst the latter will be freed from 'the drawbacks which, in a Scotch or German University, 'destroy half the advantages of a professorial system, and will 'be enabled to work more profitably from having an audience 'better fitted to receive his instructions.' Instead of carrying out this practical and necessary principle, which would have built the professoriate on a solid foundation, the Commissioners have preferred the counsels of Professor Vaughan; and these leave it exposed to a vagueness which will inevitably ensure its failure. The Professor objects to a plan for assigning the two first years of residence to the tutors and the third to professors, on two grounds. 'In the first place, such an arrange-'ment would,' he argues, 'tend to make the professor into a 'tutor of the third year.' But this result can flow only from a bad construction of the professoriate. The tutorial and cate-

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chetical element of the third year might still belong to the lecturers; the general superintendence to the professors. 'Again, he proceeds, 'such an arrangement is not, I think, based on a 'sound view of the condition of the students. Some are more 'advanced in attainments, and have greater powers of compre-'hension and digestion in their first years than others have in 'their last; and with respect to such it would, I think, be 'unwise, almost unjust, to keep them in the University for two 'years without opportunity or encouragement to catch the 'spirit of its best instruction. And even with regard to the 'less eager students, it does not follow that they might not 'attend with profit a professorial course, a part of whose func-'tions it should be to kindle an interest, and to exhibit a proper 'method of inquiry and thought, and so to aid in bringing 'sluggish temperaments and dormant faculties into action.' These remarks seem to us to confound the distinctions which the practical course of education at Oxford ought to observe. Does the Professor mean to send the more advanced with the 'less advanced' students together to the same lectures? If he does, such lectures must be useless for one or other of the two classes; instruction could not be adapted to such an ill-assorted crowd; the lectures would lose all practical value for bringing on the students; the information which they need for success would be sought elsewhere; and the ruin of the professoriate is at hand. If he does not, then the professor must multiply his sets of lectures—his classes must be reduced—and he becomes the very professor-tutor whom Professor Vaughan deprecates.

But the Commissioners 'believe that many students will 'require the assistance of a tutor throughout their whole career. 'The attention of the listless, and the apprehension of the dull, 'will require the careful assistance of catechetical teaching 'throughout their course. And to students past the elementary 'stages of learning, who are attending the lectures of eminent 'professors, the private lessons of the college tutors will be found 'very valuable by way of supplement to the public instruction. 'The tutors will repeat, in other forms, the instruction received 'from the professor, and ascertain the exactness of the know-'ledge gained by their pupils.' The Commissioners are here evidently describing the functions of the assistant-professor. It would be impossible to make the teaching of the college tutors as directly subordinate and supplementary to the professorial prelections as that of the lecturers, who pursue the same track, and are unfettered by college shackles. And if personal aid, close examination, and instruction precisely suited to

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the state of the student are the things wanted, neither hereafter, any more than now, will the college tutor have the smallest chance against the private tutor. If the professoriate is to be a reality in the University, the professor must be the centre both of study and examination. What he teaches must be the thing required at the examinations, the instrument for obtaining the great object for the sake of which men meaning to be students go to the University at all, — honours and fellowships; and his lectures must be *felt* to be the surest, the real road to success. We do not see how it is possible to fulfil this condition, the *sine quâ non* of a teaching and not merely ornamental professoriate, except by distinctly assigning his province of work to the professor in such a manner as that from first to last its machinery, its conduct, its spirit and extent, shall be immediately, if not exclusively, subordinated to his influence and control. We are not pleading for the imposition of a large number of laborious lectures on the professor, nor for his subjection to the details of instruction. The office of a professor is not so much to teach as to guide the teaching. The combination of a professor with a large staff of lecturers — for it ought to be as large as the means for their adequate remuneration will possibly allow — is the true idea of the professoriate. The professor need not give numerous lectures to the general classes; his true field of operation is *the instruction of the lecturers.* The lecturers in turn will work out the education in detail which the professor traces out in his public course. In such a system we are unable to find a place for the college tutor; whilst, if efficiently carried out, it will give the lecturers a triumphant superiority over the private tutors. The professor will easily be able so to vary his courses, and so to instruct the lecturers, as to render private tutors unable to compete with them in qualifications for conducting their pupils to honour and promotion. The division which allots two years to tutors, and one to professors may not be the best; but it is our firm conviction, that unless some such division of the field of labour be made, the magnificent apparatus of professors which the Commissioners provides for the University will quickly, as before, become an excrescence, and be expelled from the real business of the University into the barren regions of dignity and inefficiency.

The remaining guarantee for securing the efficiency of the professoriate and its due influence in the University the Commissioners provide by forming the professors into a standing delegacy or board, with 'a voice in the appointment of Exa-'miners, and some powers of superintending the examinations.' It is obvious, that without such an arrangement, the professorial

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system would quickly fall to pieces. If the examinations were placed beyond their control, their teaching would be undermined. On the other hand, the direct influence of the professors over the examinations would confer a high and real value upon their learning, would awaken an earnest desire in the students to obtain it, and would encourage the professors to exertion, both in extending and communicating their knowledge, by the assurance that their labour would be felt and rewarded in the University.

As regards the difficult problem of the mode in which professors should be appointed, the Commissioners recommend that the elections of professors, now vested in Convocation, the Heads of Houses, or Graduates of Divinity, should be transferred to the remodelled House of Congregation, as 'representing the University at large, in the best sense of the word.' The other modes of appointment they leave undisturbed, bestowing, however, the right of appointment to all new professorships on the Crown. Of all the modes of appointment now in use, there is none probably so good, on the whole, as nomination by the Crown; no other patron is so conspicuous or so directly responsible to public opinion as the Prime Minister. But we prefer the appointment of professors by such a board of curators as that which has worked so admirably at Leyden and other foreign Universities. It is natural and fitting, provided that effectual guarantees for purity of elections can be secured, that the University should retain the right of filling up its own offices; nor is a greater dependence on the Crown desirable in itself. But our chief reason for desiring an intra-academical appointment, is the vast importance of so framing the professorial system as that its highest offices should be the sure rewards of energy, self-improvement, and success in its subordinate departments. Every Bachelor who devotes his life to the University, every Lecturer who has engaged himself in some special branch of literature, should feel that the laborious acquisition of profound learning, and the successful discharge of his educational functions, are roads which infallibly lead to the professorship. Patrons who are foreign to the University, are not likely to be intimately acquainted with the merits and academical reputation of the candidates for a chair; and appointments bestowed, however conscientiously, on men not the best in the opinion of the educational body, would seriously weaken confidence in the certainty that labour would reap the promotion which was its due, and would endanger one of the greatest objects for reviving the professoriate at Oxford, the progressive improvement of the teachers. We therefore suggest the creation

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of a board of Curators, who should share in the life of the University, and also afford grounds for presuming that it would conduct its elections with purity and public spirit. Such a board might consist of five curators, severally nominated by the Crown, the Heads of Houses, the professors and lecturers, and the tutors; the Crown electing two. And on every nomination to a professorship, the Curators should be required to send in to the Crown a Report on the qualifications of the several candidates and the grounds of its choice, such a Report not to be published. The Commissioners propose that the assistant professors or lecturers should, in the first instance, be appointed by the Crown, and afterwards by the board of teachers in each faculty, of which the professors and lecturers should be members, jointly. We quite concur in this recommendation. It is not inconsistent with our view of the connexion between the professorship and the educational staff, that we approve of the removal of all restrictions from the election of professors. Such men as Faraday and Liebig might be invited to University chairs with the highest advantage; and if, as the Commissioners suggest, in imitation of the precedents of Peter Martyr, Vives, and others, foreigners were elected professors, a powerful stimulus might be imparted to the educational life of Oxford, and a European importance attached to its movement. Such appointments would necessarily be very few, and would, we think, bring no peril on the ordinary succession of lecturers to professorships.

But how are the professorships and lectureships to be endowed? The recommendations on this subject are peculiarly happy; reposing, on the one hand, on the authority of ancient precedent and the intentions of founders; and, on the other, being eminently adapted to provide for the wants of the University, and to promote the usefulness and reputation of the colleges. The Commissioners propose at some of the colleges, by the aid of their revenues, the endowment of fellow-professorships, similar to the canon-professorships which now exist at Christ Church. This proposal is advocated on both general and special grounds.

'For a long time past, the colleges have undertaken the task of teaching, and fellowships have formed a considerable portion of the income of college tutors. This is not unreasonable. The colleges absorbed the University; so that practically they shut up its schools, and silenced its professors. Therefore they made themselves responsible for that instruction, which they had taken out of the hands of the larger and older corporation. But tutorial teaching is not sufficient for the wants of the University. . . . What the Univer-

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sity wants is something more than what is commonly understood by a tutor. It wants men who, after going through the course of study common to all, have devoted themselves chiefly to one branch of knowledge, and are prepared to devote their whole lives to its cultivation. It wants the ablest men in all departments; men who would adopt learning as their profession, and give an European renown to Oxford. The little town of Giessen has been made illustrious by the presence of a single man: sovereigns contend for the possession of Liebig, but Giessen retains him, conscious that with him would depart all her fame. What in Germany is done by grants from the public purse must be done at Oxford by the revenues of the University, or rather of the colleges, which have made themselves the University.'

If Giessen has since parted with Liebig to Munich, so much the worse for Giessen. The Commissioners next appeal to 'the illustrious men,' who, in founding great colleges, endowed lectureships for the use of the University. Bishop Fox founded three at Corpus, 'with all the emoluments of 'Fellows, and a yearly stipend in addition, which stipend 'might be doubled to obtain the services of the best men.' At Magdalen, Waynflete endowed three similar lectureships with fellowships, free from all local restrictions, that the best men might be obtained. 'These provisions have fallen into 'disuse. We have, therefore, some means of judging, by 'the injunctions of Waynflete and Fox, how great founders 'would have acted in our times. They threw off all restrictions 'when it became necessary to obtain eminent teachers, and the 'stipends which they offered to attract such men, were such as 'must have placed them nearly on a level with the Head of the 'college.' Accordingly it is recommended, that two fellow-professors should be placed at Corpus, absorbing six of the fellowships of that small college, and leaving fourteen; six at Magdalen, with the revenues of twelve out of its forty fellowships; two at Merton, by suspending six of its ordinary fellowships; and four or even a larger number at All Souls', by reducing its forty fellowships to sixteen. 'These two last-'named colleges were those in which professors were ordered 'by the visitors, both of King Henry VII. and of Edward 'VI.' The same visitors made similar suggestions with respect to New College and Queen's; and the future wants of the University may be supplied from the resources of these two Societies. These fellow-professors would of course be appointed, like the other professors, by the Crown, and would be further exempt from the obligation of orders and celibacy. This last exemption is of primary importance; for it would be quite impossible to rear up at Oxford a body of learned

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residents if a home and a settlement for life were denied them. With regard to the lecturers, 'it would doubtless be desirable 'that independent endowments should be so formed for these lec-'turers; but, if this shall be found impracticable, the object 'might be accomplished by allowing fellows of colleges, when 'appointed University Lecturers, to retain their fellowships so 'long as they held the office, and resided at Oxford, and that 'without any obligation to remain unmarried, to take holy 'orders, or to vacate their fellowships on succeeding to pro-'perty. The fellowship would be their endowment, but they 'would find, in the necessity of obtaining a larger income, in-'centives to exertion which are often wanting to the present 'instructors of the University.'

The want of a Board of Studies to regulate the course of instruction, and the conduct of the examinations, is one of the greatest defects under which Oxford labours. The examination-statutes prescribe a certain number of subjects and authors, within which the choice of students and the range of the examinations are confined; but this is not a matter for which the provisions of a dead and mechanical law can suffice. The spirit and substance of examinations, if not systematically regulated, must inevitably be subject to incessant fluctuations. Who does not remember how often the appointment of particular examiners has agitated the undergraduate world, gladdening some, dismaying others; and how frequent has been the protest that an unusual weight was being attached to particular books or subjects? Sometimes it is a good examination in divinity; sometimes historical lore, or the power of illustrating ancient by modern history; sometimes a minute acquaintance with Aristotle, or a comprehensive view of philosophy; sometimes it is Aristophanes and Demosthenes rather than Euripides and Pindar, which are to carry away the honours of the first class. Who has not heard the endless complaints of the plucked and their friends, or even of second and third class men against changes in the standard of attainment, or unexpected and unfair stress laid on special subjects? This uncertainty is ill-suited to the dignity of the University and the welfare of its students. Still more, the University requires a machinery which shall both from time to time draw up careful Reports on the state of its studies, as a basis for academical legislation, and also for introducing such modifications into existing arrangements, as may be desirable, and yet the cumbrous process of a formal statute be a bad instrument for effecting them. We rejoice, therefore, that the Commission has proposed the institution of a Board of Studies for each faculty, which is to be charged with the duty of guiding

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their progress, and superintending their examinations; nor can we anticipate any serious opposition to a measure so obviously needed.

The determination of the course of studies which the University ought to adopt, is a matter of great delicacy and difficulty. The Commissioners have treated this weighty subject with much reserve, evidently through a most laudable desire of not appearing to bring the studies of the University under the control of the Crown. They consider, that 'the arrangement of 'its studies is a matter entirely within the control of the Uni-'versity;' and we thankfully acknowledge that the new examination-statute, which considerably enlarges the range of the University's curriculum, proves that even unreformed Oxford is not so deaf to the voice of public opinion in this particular, but that it is of itself able and willing to extend the bounds of its teaching. Nevertheless, friendly suggestions from without are most valuable; especially when they embrace topics which involve something more than the mere addition of a new book, or of a subject more or less akin to those now prescribed, and suited to the same classes of students as those which frequent the University at present. Self-interest, too, may sometimes render the University insensible to improvements though urged by her own members from within. Thus, in spite of the advocacy of free admittance into the University by a few gentlemen, whose characters are far removed from every suspicion of selfish motives, we cannot help believing, that the resistance offered to a public examination at matriculation has proceeded in no small degree from a fear of diminishing the number of the students, combined with that intuitive dislike of all attempts to raise the standard of instruction which is generated by close fellowships and inferior tuition. An effective examination at entrance has been adopted by the most flourishing colleges with distinguished success. It is a measure imperatively demanded for the welfare of a class too much neglected by both Universities and schools, the general mass of the students. A few brilliant class-men do not compensate either the nation or the University for the neglect of the passmen; nor can they wipe away the disgrace and the mischief of sanctioning attainments too contemptible to bear description as the legitimate results of many years and much money bestowed on the process of education. Parents have great reason to complain of the waste and the injury. A fixed standard for the admission to college would operate most beneficially on the whole scholastic staff of England. It would drive many incompetent schoolmasters and private tutors out of the profession, creating a demand for efficient instructors, who would be forth-

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coming in abundance. Large schools, dreading the disrepute of numerous rejections, would look up their masses, to their own great benefit and that of the country; and college tutors would be delivered from the unworthy necessity of lecturing classes in a style fitted for second-rate school-boys. The Universities are the central points to which the eyes of all schoolmasters are turned, the regulators of the education of the country: the eminence of such a position entails the duty and responsibility of making our schools worthy of our age and country. A matriculation-examination is the first step in the reform of the studies of Oxford. We have heard a distinguished college authority complain that college education was kept back by the state of public schools. But colleges have the remedy in their own hands, by raising their terms of admission.

It has long been a favourite object with University reformers to re-establish the studies anciently carried on in the faculties of Theology, Law, Medicine, and Arts, not solely or chiefly as fulfilling the primitive design of the University, and rendering it something more than a grammar school, but also as meeting wants extensively felt at the present day. In theology, above all, has this desire been most active. The nation, and most especially Oxford, has been the prey for many years of theological agitation. A feeling has crept over men's minds that a theological crisis is at hand, and that England does not possess the necessary learning to meet it. The conviction has been brought home to the public mind that the Universities have failed to rear up that theological science which it is one of its primary duties to supply. If there had been able and profound divines at Oxford, people said, capable of being oracles of knowledge and fortresses against error, the Church and Universities would not have been ravaged by the inroads of a Romanising Tractarianism or German neology. And thus public attention has been earnestly directed to the disgraceful fact that the Church of England is the only Church in Christendom which has provided no theological and scientific education for her clergy. The evils which flow from this prodigious defect, serious at all times, are immensely aggravated by the peculiarities of our age. On the one side the growth of our population in numbers and intelligence, the multiplication of churches, the modern use of the laborious machinery of Societies, the spirit of our day, so averse to tolerate the idleness of the many through the hopes of reaping the valuable fruits of the learned leisure of the few, have all concurred in calling for a working clergy in every rank, and depriving the Church of that abundance of time and freedom of mind which formerly generated great studies and great works of theological learning. Similarly at Oxford, the activity of the

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Grammar School has either driven away the men of the highest talent, or has so absorbed them by its labour, as to render the cultivation of a profound theology impossible. On the other side, never was intellectual speculation more vigorous, more widely diffused, more audacious in exploring the foundations of every truth, and challenging the first principles of all knowledge. Never has a movement originating in any part of the republic of letters been more rapidly propagated throughout the others than at the present day. A neighbouring nation, shut out from political life and the practical world, has devoted unrivalled acuteness, boundless genius, and the most indefatigable research to the investigation of every science, and has constituted itself the confessed literary leader of Europe. That people has revolutionised historical criticism, and has applied new processes to the culture of theology with an apparatus of antiquarian, philological, and dogmatical learning not to be matched in England. Thoughtful men perceive with some apprehension the ascendancy of German antiquaries, German commentators, German historians, over the youth of England. Why is it, they ask, that England, with the wealthiest Church and the wealthiest Universities in the world, has no theological literature of her own? Why is it that the masculine sense, the practical ability, and soundness of judgment which should so peculiarly qualify English scholars to discern truth, are paralysed by want of learning? The great deeds of their ancestors prove them capable, as a race, of coping with any other people in the field of philosophy and theology; and the far-seeing wisdom of those ancestors founded institutions admirably fitted to furnish a perpetual supply of learned controversialists. Why should England's Church and people, and, above all, the coming generation, be left defenceless against the assaults of scientific unbelief amidst so profuse an accumulation of materials for resistance and victory? Who does not feel the loss and the shame when he hears dignitaries and clergymen, eminent in the Church of England and in her great seminary, the University of Oxford, declare that —

'Few of the clergy apply themselves in earnest to the study of Hebrew. Ecclesiastical History, some detached portions excepted, is unknown to the great majority. The History of Doctrines has scarcely been treated in this country. It may be safely stated that the Epistles of St. Paul have not been studied critically by the great bulk of those in Orders. It is true that the English Church has produced great divines, and may boast at this moment of a body of clergymen perhaps more intelligent and accomplished than it ever before possessed. But they might well acquire more learning.'

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This is a matter which strikes into the very vitals of Christian life in England. Let us not delude ourselves. The testimony of parochial clergymen can be readily adduced to prove that speculative works of German theology are eagerly and extensively read by our operative masses. If the writings of German philosophers and commentators are not refuted or corrected by Englishmen, they will infallibly work their way into the minds of the people. No mistake is more fatal than to suppose that learning is an affair of the rich and educated classes alone. The results of learning become the property of all; and the reasons on which they are grounded are soon appreciated by the understandings of the many. It is therefore with feelings of the liveliest satisfaction that we hail the prospect of an earnest theological school being revived at Oxford: the more so because we hope it will remove a danger, of which we already discern the signs. Despair of University Reform, and the urgency of the need, aided by a strong professional feeling in the Church, have made many excellent persons propose to convert our Cathedral establishments into seminaries of clerical education. We earnestly deprecate all such propositions. Better, a hundred times, that Deans and Chapters should enjoy rich incomes, and waste them in idleness and show, than that they should be set apart as the normal training schools of the clergy. In nothing was the wisdom of our forefathers more conspicuous than in placing the theological studies at the seats of general education. Of all institutions for exclusive professional training purely ecclesiastical seminaries are the worst. They make men one-sided; for by no art can they be prevented from giving undue development and importance to the peculiar elements and ideas of the profession. The tendency to imagine a distinction of caste, and not of office only, between laity and clergy, is already strong enough in the Church of England; its intensity would be immeasurably increased if candidates for Orders were passed on from college to ecclesiastical schools. Teachers and pupils alike would breathe nothing but a clerical atmosphere: their heads would be full of clerical thoughts, clerical aspirations, clerical views of every department of human life. Education must be conducted under the pure air of heaven; with every wind of influence from every branch of human knowledge and experience freely blowing upon it. Professional acquirements are of the highest value, and should be cultivated with the most careful training; but the whole man must not and need not be sacrificed to what the French call happily *l'homme spécial.* A sound and elaborate school of theology at Oxford, working concurrently with other schools, amidst the free de-

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velopment of every element of human interest, is the true solution of the problem of clerical education.

With respect to the Faculties of Law and Medicine, it is obvious that Oxford cannot be made to furnish a complete education to barristers and physicians: the details, and indeed the substance, of their professional knowledge must be acquired elsewhere. But a broad foundation of general knowledge, and much preparatory information, may easily be imparted at the University. There are several sciences necessary for the physician's art, which could be studied with the best advantage at Oxford: such as chemistry, botany, physiology, and others. The lawyer, too, might master as much of Civil Law as is desirable, and might be grounded in the general principles of English, Foreign, and International Law, which several attempts have been made to supply in London. Our future barristers and judges might derive lasting benefit from having been taught to take a more comprehensive view of Jurisprudence before they became absorbed by the practice of the Courts. The writings of Mr. Justice Story are a proof of the advantages which the American lawyer possesses over the English in a wider range of legal reading. Then, again, the vast expanse of England's trade has conferred immense wealth and great social importance on her manufacturers and merchants. Their weight in the Legislature is marked both directly by the larger number of traders returned to Parliament, and indirectly by the greater regard which is paid to their opinions. It is most desirable that these classes should be brought as much as possible within the sphere of the University's influence, and that the minds of those whose voice is becoming so potential in directing the course of the country and its legislation should be enlightened and strengthened by the best education which the nation can command. A great obstacle hitherto in the way of sons of business-families being sent to college has been the belief that their time would have been thrown away, habits of idleness contracted, and no knowledge acquired of practical value for their future career. It was impossible that a long and expensive academical course, which dismissed a young man at the late age of twenty-one, without having taught him a single branch of knowledge immediately useful to his future life, not improbably in total ignorance of even the rudiments of arithmetic, could commend itself to the realism of commercial habits; nor were any of the parties likely to think themselves compensated for the expense and loss of time by an indifferent acquaintance with two Latin and two Greek books, a little logic, a very little ancient history, and as much or as little of divinity. The Uni-

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versity itself, if it were honest in the opinion it professed of the excellence of its education, could not help feeling the absence of these classes from her schools to be a public and growing misfortune. The new Examination Statute of 1850 was an emanation from some such feeling, and was a most laudable advance in the right direction. Two new schools were established, with examinations and honours, embracing Natural Science, and Law and Modern History. These, with the other two schools of Literæ Humaniores, or Classics, including Theology and Mathematics, form the complete apparatus of the Final Examination to be introduced next year: when every candidate for the Bachelor's degree will be required to pass an examination in the Classical School, and in at least one of the other three. It seems hardly fair to criticise a new and valuable improvement before it has even been submitted to the test of experience; but as the Commission has brought the whole system of the University under review, and as we do not entirely concur either with the scheme of studies contained in the new statute, nor with that substituted for it by the Report, we are anxious to make a few remarks on this truly important subject. The University's plan fails to establish a school of theology: a defect which the Commissioners remedy. But, on the other hand, the preeminence of classical studies, the intrinsic superiority of a classical education, is thoroughly recognised by the University, and, we fear, not a little compromised by the Commissioners. The statute of 1850 preserves the study of the classics in its full integrity; not only requiring every undergraduate to pass through the school of Literæ Humaniores at the final examination, but also retaining classical honours undiluted by admixture with others in the same school, and demanding for their acquisition that combination of attainments now implied by the classical First Class. The Commissioners abolish a special department of Classics at the final examination: but they so construct the division of Philology, in the School of Mental Philosophy and Philology, as that a student may be examined in Greek or Latin, or the Oriental and Modern European languages, or in Comparative Philology. The Classics hereby lose their supremacy and their prestige. The first-class men in classical philology will be grouped in the same list with good Sanscrit or German scholars. The classical honour will be shorn of its glory, and, being of more difficult attainment, will be less sought than distinction in modern languages. We fear, too, that philology will be a most meagre substitute for a broad and accomplished classical culture; and that the plan of the Commissioners, if adopted, might deal a fatal and disastrous blow

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to classical education in England. The final examination must ever be for the students the grand arbiter of fame and success; and in it the Commissioners have awarded to Classics only a very subordinate place and range, and have, moreover, swamped them with other and far easier accomplishments. We are sure that nothing could have been more remote from the intentions of the Commissioners than to depreciate classical learning, or to depart from the firmly established judgment of all Europe — a judgment come to in France after a full trial of an opposite system — that for the purposes of a liberal education the study of the Greek and Latin languages owns no rival.* But we cannot help believing that their scheme would tend to smite not only fine scholarship, but also profound study of the classics, with decay. We venture, therefore, to suggest its amendment. We propose that the mass of the students, who have obtained no honours at the middle examination, should then terminate their classical studies, and be required to pursue two lines at least of special and more professional studies. Those who at the end of two academical years have merely come up to the low standard of the pass at the Moderations will never be great scholars, and may cultivate other pursuits with better advantage than Classics. But for the men who have obtained honours, we think it to be of the utmost importance that a great classical school should be kept open at the final examination; and we hope that it may ever preserve the preeminence of glory. The arrangement of the details necessary for carrying out these measures must be left to the reformed government of the University: it is enough to have pointed out the two primary objects to be aimed at: the devotion, namely, of the third year to those pursuits which are suited to the talents and tastes, as

* The value of classical education, and its proper combination with other branches of knowledge, are admirably discussed by Professor Pillans, in three lectures delivered in 1835, and recently republished as an Appendix to the 'Rationale of School Discipline:' Edinburgh, 1852. In this work the distinguished veteran in the profession of teaching shows incontestably how many of the best and most valuable educational improvements of modern times had been practically adopted and fully tested in the High School of Edinburgh. The excellence of the methods there employed, the sagacity which devised them, the breadth of philosophy on which they reposed, the energy and perseverance with which they were carried out against the most formidable obstacles, the judgment, humanity, and moral elevation of a great teacher, are strikingly illustrated in this work, and entitle it to the careful study, not only of every professional instructor, but also of every one who feels any interest in the improvement of an art than which none is of higher importance for the welfare of society.

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well as the future wants of the majority of the undergraduates, and the establishment of a flourishing school of classical learning for those who have received from nature the ability to acquire it.

But labour, to be sustained and energetic, must have its rewards — barren honours alone will not maintain the vitality of these schools. The experiment already made in mathematics is decisive — the same nominal distinctions are awarded to them as to classics; but leading to no fellowships and headships, they are lightly esteemed, in spite of their value in many professions, and are feebly pursued. 'It is our conviction, therefore,' says the Report, 'that all other encouragements will be nugatory 'unless fellowships are bestowed expressly for proficiency in 'these several departments.' Such is the practice, we believe, at Cambridge, in the great colleges, though not enforced by statute. Great eminence in either classics or mathematics is sure to win a fellowship. The Commissioners recommend a positive appropriation by statute of fellowships in every college to the new studies; and if it is a recognised object of first-rate importance that they should be firmly rooted in the academical constitution, the provision cannot be said to exceed the need. In this way Oxford and its colleges will represent all the science and knowledge of the country. It will be linked with every profession, and have every educated man for its friend; it will be the central light to which all will look for illumination as to the true intellectual focus of the nation.

There remains one measure more, which has long been advocated by University reformers as the best instrument for awakening the educational efficiency of Oxford — the abolition, namely, of the monopoly of the colleges. The statute which compels every undergraduate to belong to a college or hall, confers a monopoly, not merely on the collective body of tutors as against the Graduates, but on the tutors of each separate college as against the rest of their fraternity. The former is the monopoly enjoyed by the tutors of Cambridge; but in their case it is rendered harmless by the liberty accorded to the colleges of lodging their undergraduates in the town, and so extending their numbers indefinitely. By means of this practice, the good colleges and tutors are enabled to carry on a vigorous and successful competition with the remainder of the University. At Oxford, on the contrary, where undergraduates are forbidden to reside without the walls of their college, and where the whole accommodation is about on a level with the number of the students, the consequence is the establishment of twenty-four irresponsible and independent monopolies.

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With a view to breaking up these monopolies by competition, and still more to satisfy a very widely-spread wish for opening the University to poorer classes of students, the Commissioners have sanctioned various plans of university extension which had been brought under their notice by persons of eminent ability and influence. These plans are —

1. The erection of 'affiliated' halls, each attached to a college, under a Fellow or Warden, with the use of the library, kitchen, chapel, and hall of the college, with one room only for each student, diminished cost of tuition, and a right, on the production of a certificate of poverty, to certain relaxations of the rules of the University. A rigid discipline is to be enforced, sumptuary laws enacted, parties forbidden, and the whole conducted throughout as an establishment for the poor.

This scheme does not meet with much favour from the Commissioners, who decline to recommend its compulsory adoption on any college; but they are willing that it should be tried as an experiment by any college possessing the necessary site and funds for the construction of such a building. They object to the creation of an inferior order of students in the colleges, as contrary to the spirit of an age which would not bear a painful and mortifying connexion of the poorer class with the present commoners, and would assert its force by ultimately obliterating the distinctions, and extinguishing the hall as a place of resort for the poor. They believe also that the parents of the present race of undergraduates would be very averse to bring their sons into close contact with a large body of inferior students, and would refuse to place them in such extended colleges; and they support their belief by quoting the decision of the Fellows of a college which rejected on this ground a proposal made by their Head for the admission of such students.

These views are well founded. It is clear that affiliated halls must be considered simply as regular extensions of the present houses — a mere increase of their intra-mural accommodation. If halls are to be provided for poorer students, recourse must be had to the second plan proposed, by opening —

2. Independent halls for their reception.

The experience of the present halls at Oxford is unfavourable to the hope of economy. Mr. Hayward Cox, who was twelve years Vice-Principal of St. Mary Hall, estimates the expenses of a hall at 25 per cent. above those of a college; but this applies to halls administered upon the model of the colleges. Hatfield Hall, Durham, has given a practical solution to the difficulty. Mr. Collis, late Fellow of Worcester College, tells us that his brother obtained at that hall, for 300*l.*, an education which

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would have cost 800*l.* at Oxford. Many a parent, who is either distressed or deterred by the costliness of Oxford, will indignantly inquire, why Oxford should not do what Durham does? Mr. David Melville, the late Principal of Hatfield Hall, has supplied an elaborate estimate, to show how an independent hall could be efficiently worked at a cost of 60*l.* a year for each of sixty students. Such a sum, he calculates, would be sufficient to cover every expense of tuition and housekeeping, besides making an adequate provision for the capital laid out on the building. Mr. Cox insists on the inadequacy and mediocrity of tuition at halls. But this is an evil which would disappear in reformed Oxford; and it would be easy for the University to require, on giving licence for the opening of a hall, that the tutors should bear a fixed proportion to the number of students, and should be also first-class men. Mr. Wall fears that in time they would 'become asylums for men ejected from the 'colleges.' The remedy is simple: all such refuges ought to be closed. Composition for 'lax discipline by higher payments' must be the ordinary condition on which such 'outcasts' are received; and we greatly regret that the Commissioners should have deemed it expedient to retain any *locos pœnitentiæ* within the University. The Commissioners object that such halls would require a heavy outlay of capital, and that the public has shown but little disposition to provide it by subscriptions or private enterprise. But they themselves supply the answer to their own difficulty in the very important fact, that there 'is 'not, so far as appears, any provision in the University Statutes 'for establishing a new college or hall, without the assistance of 'the Crown or of the Legislature.' How could a practical beginning be given to any plan which was obliged to start with a repeal of a portion of the Laudian Code; that is, with the successful accomplishment of University Reform? On the whole, we are more hopeful of benefit from the establishment of independent halls than the Commissioners appear to be.

3. The Commissioners further sanction a third plan — that of allowing students connected in other respects as they are now with colleges, to reside in lodgings; either by an indiscriminate permission given to undergraduates, as at Cambridge; or by a dispensation to a few of trustworthy character; or by a diminution of statutory residence within college walls. Rightly believing that such a plan would have no tendency to diminish expense, but rather the reverse, they adopt —

4. A fourth — that students should be permitted, under due superintendence, to become members of the University without any connexion with a college or hall. No other recommenda-

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tion of the Report will probably startle the world so much as this; against none other will the charge of revolution be so readily brought; none will cause so great a division of opinion. In its behalf the Commissioners plead that it will restore the University, which has been absorbed in the colleges — that it would enable Graduates, or the eminent men who would settle at Oxford as professors, lecturers, or in any other capacity, to occupy private houses, without any large outlay of capital, for the purpose of receiving students — that it would afford a closer domestic superintendence, a more effective and kindly discipline, the resources and moral influences of a home — that it would offer to noblemen and gentlemen commoners the peculiar benefits now derived from their residing with private tutors at public schools — and, above all, that by effecting a large reduction of expense, it would render a University education accessible to much poorer classes than those who now resort to Oxford. College-fees and caution-money, too, would be avoided — no purchase of furniture — no payments for college libraries and other college objects. An enormous saving would be made by students living together as a household, whether they paid for their board to a principal, as at public schools, or shared the expenses in common: even in private lodgings, single students might obtain all that was necessary for eighteen shillings a week. And the result would be, that a student might obtain his degree for about 200*l.*, even if he resided the full eighty-four weeks now required by the colleges; and far less, if his residence was limited to the shorter period enjoined by the University itself. The opponents of this plan prophesy a throwing down of all barriers — the ruin of all discipline — universal extravagance and dissipation — a frightful reign of immorality and vice. It is urged in reply, that the present system leaves every opportunity open to vice; that the college gate is no real security against dissolute habits; that residence in college entails grave dangers from bad company; and that the poorer students, who would live in private lodgings, would be less likely to run riot than their richer and more fashionable neighbours in the colleges. And certainly it is difficult to see why young men who have the command of the railways of Oxford, and need not repair to their colleges before midnight, should be generally more virtuous than those who dwell in private lodgings, though it cannot be denied that these would furnish some occasional facilities for vice. Moreover, the Commissioners propose that wealthier students should not be dispensed from residence within colleges, except on the condition of living with professors or private tutors; and the poorer class should be required to obtain a special licence

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from the Vice-Chancellor for authority to live independently in lodgings.

Our own opinion favours a middle course. Residence in private houses, under the charge of a Principal, combining membership of his family with a certain amount of independence, would be a very valuable addition to the institutions of Oxford. But we cannot think that the Commission have made out a case for the permission to students to live singly in private lodgings. Such a regulation, isolating a young man from all intercommunity of life with his superiors and his fellow-students, is not in the spirit of our modern English Universities. They are not institutions for the communication of knowledge only; but also, and much more, for education, for the formation of character, for the training of habits and sentiments, for the modelling of men. For carrying on this great work, they employ other processes besides the mere bringing the pupil into contact with an instructor — processes which would not reach youths buried apart in private lodgings. Neither has this mode of academical life any advantages which might not be obtained by other and less questionable means. Even the proud glory which so nobly distinguishes Scotland of rearing genius from the humblest cottage to the loftiest eminence may be won at Oxford by well-chosen forms of fraternal and associated coexistence. We have heard of associations of highly-accomplished and distinguished clergymen living together in our large manufacturing towns at a weekly cost, exclusive of rent, not exceeding three shillings and sixpence. With such an example before us, and when the Commissioners hold up eighteen shillings as memorable economy, why should Oxford abandon the great principle of a common life? Why reduce a University career to bare attendance on teaching? Surely it cannot be feared that Principals would not be forthcoming who would consent to share the hard fare of the poor students. When duty and usefulness call, we cannot believe that Englishmen and Oxonians will hang back — we cannot think the heart of our Protestantism so corrupted by the love of luxury.

It has long been our conviction that the only effectual instrument for the restraint of immoderate expenditure is the determination of the college authorities to put it down; and that determination can be called forth only by giving parents the power of placing their sons where they will obtain moderate charges and security against extravagant habits. Too often heads and tutors have conspired with foolish parents in encouraging an expensive style of living, as conferring distinction on the young man himself and his college. The improvement in the moral tone of this country has not been without its influence

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at Oxford; but it has acted partially, whilst nothing but a joint and hearty resolution of all the academical powers can subdue the evil. Even in the regular scale of collegiate charges a wide discrepancy prevails, University College exacting an average of 103*l.* for battels, which at Balliol are reduced to 78*l.* The Heads of Houses are mainly answerable for these scandals. The discipline of the colleges and the University rests almost wholly with them, and in their hands is placed the only effectual cure,—the power, namely, of intimating firmly to every extravagant undergraduate that his mode of living is incompatible with continuance at the college. On the other hand, there is every ground for believing that a better manner of appointing the Heads, the elevation of the Tutorial Body by the proposed reforms, and a wholesome competition, will infuse a more reasonable spirit into the University, and most materially check the incurring of debt and every form of immoderate expense.

It is but fair to mention, as showing what has already been done at Oxford in the way of economy, and how much depends on the habits of the students themselves, that at Pembroke, in 1849, the battels of an independent member, including washing, coals, and expenses of parties, except wine parties, were as low as 55*l.*, the average being 85*l.*, and that an undergraduate had been known to cover all college bills and all other expenses in Oxford with about 66*l.* Several other colleges can exhibit similar cases.

The discipline of the University brings us to the consideration of its government. Here the Commissioners propose a fundamental change. Leicester and Laud constituted the heads into an oligarchical Board, or Upper House of the Academical Legislature, to which the exclusive power of initiating legislation was confided, the legislative function of the Lower House or Convocation being limited to the accepting or rejecting without amendment the measures submitted to it by the Board of Heads. One unanimous burst of dissatisfaction, interrupted by the single voice of Dr. Cardwell, himself a Head, broke out from every quarter of the evidence against the Academical Constitution. We shall not therefore waste our time and labour in prosecuting the condemned, but content ourselves with remarking that no other sentence could be expected respecting men who, however eminent they may occasionally chance to be as individuals, as Heads of Houses possess no qualifications for being made rulers of the University; who are merely the chiefs of private societies, the nominees commonly of college coteries, appointed by an election over which the University has no control whatever, and which is usually conducted without the slightest regard to its interests. The sole question to be con-

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sidered is the choice of the best successor. The analogy of British institutions generally suggests the throwing open Academical Legislation to the free discussion and determination of Convocation; but even the boldest Liberals would hesitate to expose all the institutions of the University to the agitation and uncertainties of perpetual debate. Moreover the majority of the members of Convocation is composed of non-residents, chiefly of country clergymen, ill-acquainted with the educational state of Oxford and worse qualified to judge of it, peculiarly susceptible of faction, swayed by other than academical interests, and ever ready to hurry up to Oxford at the summons of church-leaders, and to convert the University into a weapon of ecclesiastical warfare. We should deliberately prefer the Charybdis of the Hepdomadal Board to the Scylla of Convocation. The recommendation of the Commissioners seems to meet the necessities of the case. Proceeding upon the historical fact that the House of Congregation—'once important, now a 'shadow,'—consisted originally of the actual Teachers of the University, they propose that it should be remodelled, and constituted the chief legislative body of Oxford. It is to consist of the Heads of Houses and Proctors, the Professors and Public Lecturers, and the Senior Tutor of each College; in all of about 100 members. The proceedings to be conducted in English, and the House of Convocation to retain the right of veto on all measures passed in Congregation. Such a body would thus be composed of residents thoroughly familiar with the business of the University; it would embrace nearly the whole staff of teachers, unquestionably the most important element in the whole Society; it would be large enough to give every facility for progress and the fullest deliberation; and yet, it cannot be doubted, would be conservative in feeling.

The recommendation to remove from Fellowships the obligation to take Orders has our warmest concurrence. The restriction of Fellowships to clergymen is a snare to many consciences, an irritating burden to men whose tastes are not naturally inclined towards the clerical office, a degradation of Holy Orders into a test for holding temporal emoluments, a lowering of the idea of the Christian Ministry by the separation of the discharge of duty from its responsibility, and a scandal to the University. Clerical Fellows are no longer needed to pray for the souls of Founders; and an obligation which had its birth in times when the clergy and clerisy of the nation were identical, when ecclesiastics were Lord Chancellors and ambassadors, is not suited to times when letters are no longer the exclusive property of the clergy, but are diffused throughout all the other professions.

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Oxford is not a clerical seminary, but a University for the cultivation of all the learning which the nation needs, and the education of all classes. It is in law and by its constitution an absolutely Lay Incorporation; and it was only when the colleges absorbed the University that the clerical element swallowed up all the rest. Enough mischief has been already done by the false notion that education is the exclusive province of the clergy, as if religion were to be found in the clergy alone, or as if the cause of religious education could be served by inculcating the notion that lay-instructors are incapable of teaching religion. It is very important, we freely admit, that there should be a close connexion between the Universities and the National Church; but that would not be endangered even by the admission of dissenters, much less by the opening of fellowships to laymen. The majority of the students will always be composed of men intending to be clergymen, and consequently in any case the fellowships will be filled by clergymen chiefly; still more the majority of the members of Convocation will always be clergymen. An infusion of the lay element—and it never could be a large one—at Oxford would work incalculable good, moderating ecclesiastical agitation, softening professional one-sidedness, and cementing a genial sympathy between the whole nation and the University.

We so far agree with Mr. Conington, who argues in favour of the abolition of the restriction of celibacy on fellowships, as to wish that they might be bestowed for life on a certain number of eminent men, capable of great achievements in literature, but requiring some aid to enable them to devote their whole time and energy to its pursuit. The Commissioners have provided no place for such men in renovated Oxford. A few fellowships applied to this purpose might enrich Oxford with some great men and great works. But we can see no machinery which would guard the awarding of such fellowships from great abuse. Ornamental professorships would be the fitting posts for such men; but against these the Commissioners have waged an unrelenting war. There remain, however, the Headships, especially when they are relieved from their legislative duties. The Commissioners propose to empower colleges to elect for their Head any Graduate of the University without limitation; and we doubt not, that many a body of Fellows, such as Fellows will be hereafter, will welcome the opportunity of acquiring honour for themselves and lasting glory for their college, by choosing for their president some recognised chieftain of literature. We have mentioned that professor-fellowships, and fellowships held by lecturers, are not to be vacated by marriage.

Disappointment will probably be felt by many veteran Uni-

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versity reformers, when they search in vain for a recommendation for the removal of religious tests, and the free admission of dissenters to the University. The explanation, however, is easy. Lord John Russell gave a pledge to the House of Commons that the Royal Commission should not entertain this question; and the Commissioners had no choice but to exclude it from their Report. It is adjourned merely. Meanwhile, there is one consideration which may reconcile the Protestant Dissenters to the delay. Those who think that Popery is unfavourable to the moral and intellectual liberty of mankind will appreciate the gravity of the practical difficulties which the introduction of Roman Catholics into Oxford would create. In the present temper of men's minds respecting religious questions both at Oxford and in the country at large, whilst angry controversies are still raging, and the battle between the Churches is still at its height, a fatal blow would be dealt to the peace and studies of the University, if the Roman Catholics were allowed to break in upon the inmost life of an institution in which almost every building and every endowment would supply unfailing materials for irritation and contest. Scenes might take place at Oxford little less disgraceful than the Stockport riot, or the ancient battles in Logic Lane.

The Commission, however, proposes the abolition of subscription to the thirty-nine articles as the test of Church-membership, although they do not bring forward a direct substitute; probably, because they infer from the proposal made by the Hebdomadal Board in 1834, but rejected by Convocation, that the University itself will be able and willing to deal with this matter. The present system exhibits the scandal of compelling youths to sign theological propositions which they often have not even read, and are certainly incompetent to understand; whilst its uncertainty is so great, as to let in Prussian and Genevese Calvinists, Wesleyans, and Scotch Presbyterians, and yet frequently exclude English Episcopalians, who cannot agree with every statement contained in the Articles. The Commissioners express a well-founded 'conviction, that the imposition of sub-'scription, in the manner in which it is now imposed in the 'University of Oxford, habituates the mind to give a careless 'assent to truths which it has never considered, and naturally 'leads to sophistry in the interpretation of solemn obligations,' —a dangerous habit, which lies at the bottom of most of the evils which it is the great object of the present Report to authenticate and remove.

No. CXCVI. will be published in October.

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THE

EDINBURGH REVIEW,

OCTOBER, 1852.

No. CXCVI.

ART. I. — *Lettres et Opuscules inédits du Comte Joseph de Maistre, précédés d'une notice biographique par son fils le Comte Rodolphe de Maistre.* Paris: 1851.

THESE volumes contain nearly one hundred and fifty letters and a few fragments, pamphlets, and tracts, by Count Joseph de Maistre, a meagre biographical sketch from the pen of his son, and a certain number of letters addressed to him by different distinguished persons. The fragments—at least those which relate to the politics of Savoy during the occupation of that country by the French — might, we think, have remained unpublished without any great loss to the public. They belong to the early days of the writer, we should say rather to the commencement of his literary career, for M. de Maistre began to write late in life, and they will add nothing to his reputation. They are curious only for the intellectual anatomist who may seek to discover in the literary embryo the germs of future development, and to discern amidst the affected periphrases and rhetorical ornaments of the Savoyard publicist, the elements of a style as forcible and perspicuous as any that the French language can boast of. The art of the writer can only be acquired pen in hand, as that of the swimmer must be learnt in the water at whatever risk; and however long the first experiment may be delayed, the result in both cases is almost unavoidably an awkward display of ill-directed powers coupled with distressing and unnecessary effort. M. de Maistre's first 'flounderings' in the element in which he was eventually to be so much at ease,

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might have been suppressed without wronging his memory, and it is difficult to understand the notion of filial piety that has induced his son to bring them forward after a lapse of nearly sixty years. The literary remains of an eminent writer should be gathered up, not swept up for publication,—a precept which few families seem sufficiently to bear in mind;—and in this particular case, a single volume containing the most interesting letters of the collection would have sufficed to entitle the editor to our best thanks.

Few men are as often quoted in French polemics as Joseph de Maistre. His works, full of dogmatical sentences and picturesque aphorisms, have become a perfect arsenal of epigraphs for the books of friends and of enemies. We say friends and enemies, for his readers can with difficulty refrain from becoming one or the other, and he himself, the most aggressive of writers, was but too much disposed to divide the world into those two categories. By one party he has been reviled as the apologist of the headsman, the advocate of the Inquisition, the adversary of free inquiry, the virulent detractor of Bacon, the friend of the Jesuits, and the unscrupulous perverter of historic truth for his own controversial purposes; by the other, he is extolled as an austere moralist reacting against the sentimentality and *philosophism* (to use his own word) of the age, a steadfast believer and an unshrinking upholder of all he believed, a loyal and devoted subject to a despoiled sovereign, an elegant scholar, a powerful logician, a disinterested statesman, and the unflinching advocate of a persecuted order, which reckoned among its members the friends and instructors of his youth. Authority for both these opinions can be found in his life and writings; for, strictly speaking, none of these things for which he is in turn admired or reviled, are incompatible. But, in one respect, all parties in France are agreed; they all concur in recognising his importance as a writer, and in allowing him the first place in their sympathy or in their dislike; he is evidently and universally considered as one whose words are the clearest and most complete expression of the opinions of his party, a leader whose assertions imply the concurrence of his co-religionists, a champion in whose person the whole army of theocracy suffers defeat or obtains victory.

This deference towards a foreigner at first sight appears strange; but is partly explained by his works, every page of which testifies his unbounded estimation of the power and importance of France. No Frenchmen ever held a more exalted opinion of the influence of his country in European affairs; France was, in the eyes of M. de Maistre, the chief instrument

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of Providence for good or evil; the Book of History he considered as a record of the dispensations of God through the medium of the French nation. 'The old chronicle of the 'crusades entitled "Gesta Dei par Francos" might be continued, he writes to a friend, 'from century to century without altering 'the title. Nothing great takes place in Europe without the 'French. They have been absurd, mad, atrocious, &c. &c. as 'much as you please, but they have nevertheless been chosen as 'the instruments of one of the greatest revolutions that ever 'took place in the world, and I have no doubt that one day, 'perhaps at no very distant period, they will abundantly in-'demnify the world for all the mischief they have caused. Pro-'selytism is their element, their faculty, their peculiar mission, 'and they are destined ever to agitate the world for good or 'evil.' The nation too, whose language he used, could never be to a writer of his temper and pretensions a foreign people, and although he always disclaimed the title of Frenchman, even when Savoy was a French province, we find him writing to M. de Bonald: 'Buffon has said that the style was the man, 'one may say with equal truth that a nation is but a language: 'My family is therefore naturalised among you by nature that 'has made the French language to enter into the very marrow 'of our bones. Do you know that on this head I do not yield 'in prejudice even to yourself; laugh if you will, but it cannot 'enter into my head that a man can be as eloquent in any other 'language as in French.'

Nations are in their way as accessible to flattery as individuals, and it is just possible that M. de Maistre may have owed to his high appreciation of France and her people a portion of that celebrity among our neighbours which his incontestible talents and peculiar doctrines might not have been sufficient to command.

In this country his works are little read, and even his name is best known in connexion with his brother, Xavier de Maistre, the clever author of 'Le Voyage autour de ma Chambre,' and 'Le Lépreux de la Vallée d'Aoste.'* The publication of the present correspondence, which affords the means of judging the man as well as the author, appears to present a favourable opportunity of devoting a few pages to one of the most complete and consistent characters of the last century.

Joseph Marie de Maistre was born at Chambery, in 1754, of

* While these pages were being written the public papers announced the death, at St. Petersburgh, of Xavier de Maistre, at the advanced age of ninety.

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a noble family of French origin, a branch of which had settled in Savoy nearly a century before. His father was President of the Senate of Savoy, and held the office of Conservateur des Apanages des Princes. Our author—the eldest of ten children—appeared destined by his birth to succeed his father, and to discharge peacefully and honourably, in the sunshine of court favour, the pleasant duties of the head of a patrician house. Fortunately for him, his love of study and a good education fitted him for something more—or less. A very few words on the early years of his life will suffice, for there can be little interest in dwelling on the *puerilia* in the case of one who outgrew childhood more thoroughly than any other man ever did. To some men, firm and virile though their natures may be, the feminine element, so predominant in the child, clings throughout life, vainly masked in youth under affected callousness, bursting forth unexpectedly and fitfully under some invisible touch amidst the cares and struggles of mature age, and imparting indescribable tenderness and grace to their declining years; but M. de Maistre had no such weaknesses, or, at least, we find no trace of them in his works. Not, indeed, that these can be said to be deficient in a certain austere grace, which, without touching the heart, has undeniable charms for the cultivated mind; and in the familiar letters before us there are passages which Madame de Sévigné might have envied; but it is a grace, the result of art, of elegant study, of a practised pen, perhaps of a disengaged heart, that is as different from sensibility as the faultless smile chiselled on the marble lips of a statue is from the living, loving smile on a human countenance.

M. de Maistre's early education was not without its influence—and a very direct one—on his whole life. He was brought up, we are told, in complete but affectionate submission to his parents; and the hereditary gravity and strict discipline of an austere home doubtless first taught him that obedience to authority, and respect for tradition, which he was one day to inculcate so dogmatically to nations as well as to individuals. Speaking of his mother, he says, 'I was as completely in her 'hands as the youngest of my sisters;' and when as a young man he left his home to study at the University of Turin,—even during that first period of emancipation so intoxicating to most youthful minds,—he never allowed himself to read a new work without first writing to his parents to obtain their authorisation. The spirit which presided over the household at Chambery may be gathered from the following anecdote:—'It was 'in the year 1763, and news had just arrived in Savoy of the 'famous edict of the Parliament of Paris which expelled the

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'Jesuits as a body from France; Joseph de Maistre, then a 'boy about nine years old, was playing somewhat noisily in his 'mother's room, when she turned to him and said solemnly, '"You must not be so gay, Joseph, for a great misfortune has '"happened."' He never forgot the tone in which those words were pronounced, and more than fifty years afterwards, in a letter written from St. Petersburgh (where his hereditary predilection for the Jesuits was eventually to produce serious consequences to himself), he winds up a glowing eulogium on the Company of Jesus by the following characteristic argument, if argument it may be called: 'To conclude, my dear friend, 'there is nothing I value so highly as family feeling; my 'grandfather loved the Jesuits, my father loved them, my 'sublime mother loved them, my son loves them, and his son 'shall love them if the King gives him leave to have a son.' After reasoning a little with his opponent he naturally falls back on tradition as the highest authority that can be invoked. It is scarcely necessary to add, that to the Jesuits the education of young De Maistre was confided, and in that one pupil the reverend Company may be considered to have received compensation for the numerous sceptics and unbelievers that it has had the curious and certainly undesired privilege of sending forth from its schools.

We pass over some thirty years of prosperity. The French Revolution broke out, and found Joseph de Maistre a married man and the father of two children, a senator moreover, and filling a distinguished place in the judicial magistracy of his country. The storm which was to scatter the inmates of so many homes all over Europe, did not spare his. The invasion of Savoy by the French in 1792, the constituting of the Duchy into a République des Allobroges, and the confiscation of the property of emigrants followed in succession. After various hardships and dangers, such as almost every biography of that day records, M. de Maistre, deprived of his country and fortune, took refuge with his wife and children at Lausanne, leaving at Chambery, under the care of her grandmother, an infant daughter, born in the midst of peril and distress, whom he was destined not to see again for twenty years.

During his residence at Lausanne in 1796 (the date should be borne in mind), he published his first important work, entitled 'Considérations sur la France,' which at once gave him place among the most remarkable writers in the French language, and, in spite of the prohibition of the French Government, went through three editions in the course of the year. The weak Government of the Directoire was, indeed, quite powerless to

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keep out the hostile literature which at that time hemmed in France as with a fiery circle, and poured in volley after volley. At Hamburgh, in Switzerland, in London, pens and presses were at work in the cause of counter-revolution. About the same time that the 'Considérations' appeared at Lausanne, Chateaubriand was writing in London his 'Essai sur les Révo-'lutions,' and M. de Bonald was publishing at Constance — where a Society of French priests had established a printing-office — his 'Théorie du Pouvoir politique et religieux dans la 'Société civile,' not to speak of Mallet du Pan's 'Correspond-'ance Politique,' 'Le Spectateur du Nord,' &c. &c. M. de Maistre's work, which time has scarcely robbed of any portion of its original interest, exhibits all the essential qualities of the writer, while those defects which were to become so offensive in succeeding compositions are, from peculiar circumstances, far less obnoxious in this instance. His love of paradox, his mania for political prophecy, his arrogant tone, are already distinctly apparent, but they may on this occasion be forgiven even by those who are most adverse to the opinions of the author. The paradox by which he represents the French Constitution before 1789 (?), as guaranteeing all the legitimate liberties of the subject, appears at the date of the 'Considérations' scarcely more than an excusable reaction against the universal rage for indiscriminate innovation; time, on the other hand, has absolved — nay, to speak more fairly, justified, — the Prophet, by fulfilling many of his predictions, and arrogance of tone in asserting opinions which expose the holder to persecution partakes so much of the nature of courage, that it can with difficulty be viewed as a fault. As we proceed we shall see these characteristics developing themselves under less extenuating circumstances, and shall have more than one occasion of adverting to them. We are therefore disposed to pass them over in this instance, or even to admit that they may have been almost desirable qualities in 1796.

The system that the 'Considérations' are intended to expound is indicated in the first sentence, which we transcribe in the original: '*Nous sommes tous attachés au trône de l'Etre Suprême* '*par une chaine souple qui nous retient sans nous asservir.*' Within the limits of this supple chain, man freely enslaved (*librement esclave*) works out voluntarily, but necessarily, the decrees of a Supreme Will. During revolutionary periods the chain is abruptly shortened (*se raccourcit brusquement*), the action of man is abridged, his means become ineffectual, and the decreed revolution can neither be prevented nor even successfully opposed. Such is — almost in the author's words — the

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substance of the first chapter. It is strange to find this theory of the fatality of historical events, which has been so often made a ground of reproach to the partisans of the French Revolution, as tending to palliate the guilt of its chief actors, professed by one who may be termed the personal enemy of that Revolution. M. Thiers, for instance, who as an historian stands at an opposite pole, has been often accused of this same fatalist tendency. There is, however, a wide difference between the narrator of history and the speculative theorist. It is evident that a series of historical events must exhibit a certain concatenation of causes and effects, and these may at first sight present (especially when the narrative is rapid and striking) the appearance of a necessary succession. For an event to have occurred, it must have been preceded by all those other events which rendered it possible, and the historian may relate and connect these without in any way implying that the one was the unavoidable result of the others. There is no arbitrary 'shortening of the chain' involved in this, and if the impression of fatality is conveyed to the reader, he must attribute it to his own inability to substitute conjecture for reality, and to imagine any chain of circumstance which could have held the place of the truthful record so vividly presented. To show that men's bad actions have invariably produced certain fatal results, is one thing; to represent those bad actions as the inevitable product of foregone events, is another. According to M. de Maistre, not only the catastrophes, but even the crimes of history are the result of a sentence: 'there have 'been nations,' he observes, 'that have been literally condemned 'to death.' The Terrorists of France he regarded as mere tools, the engines of destruction in the hands of an offended and avenging God. When they ceased to co-operate in the general plan, when they no longer were the passive and mechanical instruments of the great expiation, they were in turn shattered to pieces. The progress of the Revolution was the working out of a Divine plan, which the ineffectual schemes of the Royalists sought in vain to thwart. The leaders of the Republican party experienced no check, their armies suffered no defeat, '*for the* '*same reason that Vaucanson's mechanical flute-player made no* '*false notes!*' One might naturally infer that the result of this theory, which converts murderers into executioners, would be to exculpate them to a certain degree, and that the flute-player would scarcely be held responsible for the music that Vaucanson had imposed upon him. But Heaven forbid that Joseph de Maistre should palliate any man's guilt, or repine at any man's chastisement. One of his favourite maxims was, that very just punishments were often inflicted by very great criminals:

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'*L'univers est rempli de peines et de supplices très justes dont les exécuteurs sont très coupables:*' thus making even the victim an object of suspicion! He admits, indeed, that some of the sufferers in the Revolution may have been innocent, although he thinks that the number of these was far less than is generally supposed. But even admitting this, the French nation—and he elsewhere defines a nation as the sovereign and the aristocracy—was guilty of having permitted, and even aided, the spread of pernicious philosophical doctrines; the victims therefore, though, perhaps, individually blameless, justly bore their share of that mutual and joint responsibility*, which, according to his theory, binds together the members of the same Order, causing the sins of the guilty to be visited on the innocent, while the blood of the innocent in its turn atones for the guilty. At first sight this hierarchical division of the human race into Orders before the tribunal of a Supreme Judge seems strange, but there are stranger things than that in the aristo-theocratical philosophy of De Maistre. With inflexible logic he carries out to its most rigorous extent the principle of the atonement for sin by the effusion of innocent blood, and evidently exults in the contemplation of the precious victims, whom he considers as so many hostages given to victory. In a subsequent work†, in which his fearful theory is more fully exposed, he exclaims, 'The blood of Lucretia overthrew Tarquin, the blood of Virginia expelled the Decemviri. When two parties come into collision during a revolution, we may safely predict that the side on which the most precious victims are seen to fall will ultimately triumph, however contrary appearances may be.' To M. de Bonald he writes, after the assassination of the Duke de Berry, in 1820: 'We have seen the end of the expiation; even the Regent and Louis XV. have paid their debt, and the House of Bourbon has received absolution.' Elsewhere‡, again, in an untranslateable passage, often quoted by his adversaries, and rendered more hideous by its grim play on words, he writes: 'On peut ajouter que tout *Supplice* est supplice dans les deux sens du mot latin *supplicium* d'où vient le nôtre: *car*

* In writing the above, we are almost tempted to regret that M. Kossuth's attempt in one of his English speeches to introduce the word *solidarity* into our language did not meet with the success it deserved, although we are too timid to follow his example, and become *solidary* of his neologism. A word expressing 'joint and several liability' would be an acquisition, and this particular word has very good reasons to show for its naturalisation.

† Eclaircissement sur les Sacrifices, chap. iii.

‡ Soirées de St. Petersbourg, entretien iii.

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' *tout supplice supplie.* Malheur donc à la nation qui abolirait ' les supplices; car la dette de chaque coupable ne cessant de ' retomber sur la nation, celle-ci serait forcée de payer sans mi- ' séricorde et pourrait même à la fin se voir traiter comme ' *insolvable* selon toute la rigueur des lois.'

Passages like these — quoted by many who know little else of his works — have made the name of Joseph de Maistre synonymous with fanaticism and inhumanity to a numerous class; but it would be unfair to judge him entirely by these. They paint the man certainly, but not the whole man. To be just, one should always, in the appreciation of his writings, take into account the peculiarly militant character of his genius, which led him invariably to put forward those propositions and employ those expressions which could best prove his own faith and test the temper of his adversaries. He was apt instinctively to take his stand on the weakest points of his system, as a valiant soldier rushes to the breach. We say, instinctively, for he never appears to have been himself conscious that there was any particularly assailable part in the time-worn dismantled edifice that he hopelessly sought to garrison with his ubiquitous and indefatigable valour. He would defend the most absurd superfetation of the Romish Church, or the most obsolete customs of absolute monarchies with the same reverence and conviction as the fundamental dogmas of Christianity. Each was equally, in his eyes, part of a sacred whole, and could not be forsaken with honour. He had started in life, to use Dr. Johnson's expression, with his faggot of opinions made up, and he felt, perhaps with reason, that whoever drew out a single stick weakened the whole. Nor was this all; his ardent spirit could not rest satisfied with a defensive part; it was little to protect the Church against the encroachments of her enemies, he determined to sally forth and to reconquer the ground that she appeared to have irrevocably lost. He would lead the forlorn hope of Theocracy against triumphant Philosophy. The more desperate the undertaking, the more he felt that it devolved upon him. Others could tamely preach from recognised but disregarded texts, but who would, like him, attempt to prove that war was a blessing, the Inquisition a salutary institution, and the venality of offices a guarantee of independence in the holders? Any man might enforce axioms, but who could like himself triumphantly carry through a paradox? Therefore it is that other writers who have shared the same views have not given the same offence. The manner too, as well as the matter of his writings is invariably, and we may add intentionally, aggressive. His works purposely exhibit his opinions, as through a magnifying glass, as

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if to startle his opponents out of their moderation. He seems to have thought that in controversy as in other games of skill, he has half won who has succeeded in putting his antagonist out of temper. One of his favourite remarks, after indulging in any particularly bitter attack against some of the 'Idols of Philo-'sophy,' was; '*Ça les fera enrager là bas.*' *Là bas* of course meant Paris — ever uppermost in his thoughts while he affected to despise — Paris that he hated with a lover's hate. If a friend pointed out a word that might be cavilled at, or suggested some less objectionable expression, he would reply: '*Non, non,* '*laissons leur cet os à ronger.*' Plenty of 'bones to pick' he undoubtedly has left scattered throughout his works, but it would be wronging him to suppose that he has left nothing more substantial. In this very work that we have been examining ('Considérations'), there are chapters treating of purely human subjects, which are full of lucid and even impartial views, scarcely to be found in any other royalist writer of the same period. His unvarying belief in the ultimate restoration of royalty was shared indeed by almost all his political co-religionists, and the royalists of Savoy in particular had been popularly nicknamed, in derision of their ever-receding hopes, 'the men of 'next week' '*coui d'la semaña ch'ven ;*' but few discerned as he did, that the temporary triumph of Jacobinism in France was necessary to secure the integrity of the territory, and that the superhuman efforts of the republican armies could alone preserve inviolate the empire of the future king. The dismemberment of France — the inevitable result of the defeat of the revolutionary troops, was, in his opinion, to be deprecated above all things. It would have been, to use his own expression, as though a planet had been struck out of our system. All the laws which governed the politics of Europe would have been disturbed — it was better far that the Restoration should be adjourned. One must look back to 1796 to be aware how few, among those whom the Revolution had proscribed and impoverished, would have written the following phrase, with which M. Mignet, more than thirty years afterwards headed his history. 'Mais nos ne-'veux qui s'embarrasseront fort peu de nos souffrances et qui 'danseront sur nos tombeaux riront de notre ignorance actuelle; 'ils se consoleront aisément des excès que nous aurons vus et 'qui auront conservé l'intégrité du *plus beau royaume après celui* '*du ciel.*' * We must look back to the army of Condé and the blind hopes and projects of the *émigrés*, to appreciate the clear-

* This last expression is borrowed from Grotius, 'De Jure Belli 'et Pacis.'

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sightedness which could foresee that the Revolutionary Government in decreeing the indivisibility of the Republic, was decreeing the integrity of the kingdom.

We have dwelt at some length on this early work of Joseph de Maistre, because in it we find clearly indicated all the principal points of the system to which he was to remain faithful during the course of a long life, and which his subsequent works were merely to develope. Of all the opinions broached in this first *début* on the great scene of European politics, not one was destined to be retracted, modified, or even to be left undefended. The temporal government of Providence, if we may use the expression, we shall see him attempt to render visible on earth, in his work on the Papacy *; the divine origin of kingly authority, and the royal origin of all national privileges, will be more fully asserted in his 'Essai sur le Principe générateur des Constitutions 'politiques;' and in his word entitled 'Eclaircissement sur les 'Sacrifices' the innate and universal belief of all nations in the efficacy of bloody sacrifices for the atonement of sin, will be enlarged and commented upon, until the sickened reader turns from the cruel page, wondering of what sanguinary divinity this Druid of the nineteenth century assumed to be the oracle.

In the correspondence before us there are only two or three letters belonging to this period of M. de Maistre's life, and these merely reproduce, in more familiar language, the opinions expressed in the 'Considérations sur la France.' In one of them, however, there is a passage which we are tempted to extract in fairness to the writer. It exhibits him in favourable contrast with the men who, in the present day, consider themselves on the Continent, as the continuators of his system, and seems to reply by anticipation to that call for 'strong government' which has of late become the war-cry of the self-styled friends of order all over Europe. We find it at the close of a letter addressed to Baron de Vignet, the same to whom M. de Lamartine has devoted some pages in his 'Confidences.'

'The other point on which it appears to my great regret that we cannot agree is the revolution (of some kind) which seems to me inevitable in all States. You say that nations will require "strong "governments," whereupon I must inquire what you mean by that! If monarchy seems to you to be strong in proportion as it is absolute, the governments of Naples, Madrid, and Lisbon, must, in your eyes, appear very vigorous. Yet you know, and every body knows, that those monsters of weakness only exist, thanks to their equilibrium. Rest assured that to strengthen monarchy you must base it on the laws, and that all that is arbitrary, — military tribunals, continual

* Le Pape.

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change of office, and ministerial jobs and messes,—must be avoided. Consider, I pray, what we had come to, and how your plans were rejected, moderate as they were, and though in no way infringing on the royal prerogative.'

Unfortunately, M. de Maistre, in common with all partisans of absolutism, has omitted to tell us by what means the royal power, unhampered as he would have it by constitutional restrictions, is to be restrained within those bounds of moderation and justice which even he considers necessary. To all written charters and definite political compacts he is systematically hostile. The rights of a people, he says, are never written; they have invariably proceeded from royal concessions; while the rights of the sovereign and the aristocracy have no known date or author. Elsewhere he adds, that the weakness and fragility of a constitution are in exact proportion to the multiplicity of written laws to which it has given rise — thus commenting the well-known sentence of Tacitus: *Pessimæ reipublicæ plurimæ leges.* Now, between a royal prerogative, to which he ascribes a divine origin, and national liberties held on sufferance and proceeding from voluntary princely concessions, did M. de Maistre really think there could be any balance of power? If he did not, and the lucidity of his mind was too great to allow of a contrary supposition, to what did he trust as a politician for the prevention of those abuses which we are desirous of believing that he detested as a man? He certainly did not rely on the good faith of kings, for bitter personal experience had taught him the wisdom of the counsel of the Psalmist (who was himself a king), 'put not your trust in princes.' On one occasion even, he writes to a friend, that, 'the absurdity of 'confiding in princely promises can be compared only to the 'folly of a man who should seek rest on the fan of a windmill.' Still less does he take force into account, as a last and desperate argument, or admit the lawfulness of those popular uprisings which in the middle ages, in default of defined laws, served as salutary checks even on our own unruly Plantagenets. No man ever carried the doctrine of non-resistance further, and he held that a Christian subject possessed no other right against his sovereign — were his sovereign a Nero — than that of speaking respectfully the truth, while submitting to any torture the tyrant might inflict. There must be, it would seem, either bad faith or want of logic in a statesman who deprecates all abuse of royal authority, and yet steadily refuses to admit of its suffering any legal limitation. But, to the slave of a system all is possible, except to shake off the yoke of his own theories; and this is not the only nor the greatest contradiction to which M. de Maistre was con-

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demned by the discrepancies between his political prejudices and the instincts of a naturally elevated mind. We are ready to admit with him, that the idea of creating, *à priori*, the political constitution of a people is absurd, and that the written fundamental laws of a nation should only serve to develope and authenticate the germs of liberty contained in what he appropriately enough terms the 'Natural Constitution.' The constitution of a country should be, indeed, as he says, 'a mere declaration of 'anterior unexpressed rights;' but it is equally certain that it is necessary for the preservation of those rights, that they should in the fulness of time be defined and guaranteed. There is evidently a stage of maturity at which the unexpressed privileges of a people should become expressed laws under penalty of forfeiture. The time at which the transformation should take place depends on a multitude of circumstances, but it may, perhaps, be defined as being the period at which those privileges are sufficiently prized by the people to be defended at any cost, and yet insufficiently recognised by the sovereign. Such a time had arrived for England, when on the accession of William of Orange, the Declaration of Right was made. Before that period of maturity any contract between the sovereign and the people is unavailing; later, it is more or less unnecessary. It may be perfectly immaterial to Englishmen, in the present day, whether Magna Charta or the Habeas Corpus Act ever existed in a written form, but there have been epochs in our history when it has been very important that they should have been recorded elsewhere than in the 'hearts of Englishmen,' as M. de Maistre would have it. And while on this subject we will beg leave to say a few words on some erroneous notions respecting the government of this country, which are constantly and complacently repeated by foreign politicians of the De Maistre school.

We have often been puzzled to understand the excessive praise which Continental absolutists insidiously lavish on the British Constitution while deprecating the introduction of parliamentary government into their own countries. From M. de Maistre down to his recent and feeble imitator, Count Ficquelmont*, they all, more or less, represent constitutional government as a pestilent malady of nations, while at the same time they expatiate admiringly on the healthy condition of the only people who has been thoroughly inoculated with it. There is a contradiction in this which is worth looking into, if it were only

* See 'Lord Palmerston l'Angleterre et le Continent,' par le Comte de Ficquelmont. Paris, 1852.

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to reassure any liberal-minded Englishman who may naturally feel alarmed at seeing the government of his country approved of by such judges. In the first place, the English Constitution is invariably presented by them as a mere accumulation of traditions and precedents, of ambiguously worded statutes and political fictions, which are liable to diverse interpretations, and which the good sense of the Government accommodates to time and circumstance, 'constantly subordinating principles to the 'lessons of moderation and experience — a course which would 'be impossible if those principles were set down in writing.'* In the second place, to this vagueness and pliability of the English Constitution its duration is attributed, and, although the uses of reform to which these qualities have been made to conduce of late years are of course considered objectionable in themselves, it is gratuitously inferred that changes might have been — and may ultimately be — made with equal ease and safety in a contrary direction. There are a great many mistakes in all this; so many that we must be very concise in enumerating them. It is not true that the English Constitution has endured because it is vague and silent on many minor points, but it is true that it is vague and silent because it has lasted a long while. Cause and effect are here confounded — a very common error. The English Constitution is not a clear methodical instrument like the Continental constitutions of the nineteenth century, simply because it is not a product of the nineteenth century, and that our forefathers had not felt the need — perhaps not possessed the skill — for taking legal precautions against sovereigns without standing armies, whom they could always in the last resort depose or even put to death. At later periods, when encroachments may have been attempted with greater chance of success on the part of royalty, stringent measures have been wisely taken from time to time to guard the liberties of the subject: we have already alluded to two of the most important — and in the present day all the fundamental rights of Englishmen are set forth in our laws as explicitly as any modern legislator could desire. But even were this not the case, it would be absurd to draw from thence any inference respecting more recent continental constitutions. The acknowledged owner of a family inheritance transmitted uninterruptedly from father to son during ages, might with impunity dispense with title-deeds, though it would be folly in a new purchaser not to exact a regular conveyance. When M. de Maistre and others in 1814 asserted that Louis XVIII. ought to resume the sceptre of his

* Essai sur le Principe Générateur des Constitutions politiques, paragraph xii.

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fathers under the empire of the old Constitution of France, they simply demanded the restoration of an absolute monarch. The old French Constitution — the Monarchy of the Parliaments — had ceased to exist for nearly two centuries; it had been destroyed by those very kings whose inheritance he claimed, and for whose bad faith he was justly punished by the distrust of the nation. The Royalists of 1814 might as well have proposed that the King should take Sully or Colbert for his minister because the France of former days had thriven under their administration. The notion of restoring the Past was as Utopian as the wildest dreams of modern Icarians can be — for to restore life is as much beyond the power of man as to bestow it. M. de Maistre never recognised this truth, and while he ascribed a Divine origin to all political institutions, and denounced as impious the pretensions of society to the right of reconstituting itself, he was unconsciously rebelling against that Providence whose decrees he affected to adore, by seeking to galvanise extinct constitutions and lifeless ordinances. The case of England was in no way parallel. The English Constitution at the accession of William of Orange had, it is true, been perverted from its original spirit by the bad faith of the Princes of the House of Stuart, but it had never become a dead letter: it had ceased to work freely and honestly, but it had not ceased to exist. The right of Englishmen to be represented in Parliament, to vote their own taxes, and to make their own laws, was theoretically recognised even by those who sought to impede the exercise of that right, and all that was required — after choosing a prince whose elective title set the overruling question of Divine Right at rest — was to take corroborative measures for insuring in future the free and secure operation of the universally-acknowledged law of the realm. At the Restoration of the Bourbons the case was completely different. The very traditions of limited monarchy were forgotten. The old social edifice had been pulled down stone by stone by the hand of despotism itself, whether legitimate or usurping; and it was no fault of the people if an entirely new structure was to be raised. Nor is it to be inferred from the example of England that all the limited monarchies of the Middle Ages contained in their essence the germ of future development or the faculty of progressive adaptation to a more civilised society. Liberty is not a blessing of which a nation can with impunity possess more or less, and history shows us that to no other earthly good can the Scripture sentence be so strictly applied, 'To him that hath, 'much shall be given.' A certain amount of political liberty is necessary even for its own preservation. Those very monsters

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of weakness quoted by M. de Maistre — and more particularly Spain — all enjoyed under their mysterious constitutions of Divine origin, which he considers as all-sufficing, certain national rights, which, had they possessed the means of guarding and developing, would have secured the nation from oppression; yet, one by one, almost all the limited monarchies of Western Europe became absolute, and thus showed that insufficient liberty is no liberty at all. Political rights are of little avail without the additional right of enforcing them, and liberty that is not free to defend itself is no longer liberty. The old Monarchical Constitution of France, for instance, for which M. de Maistre professed so much admiration, undoubtedly presented in its original form some wholesome checks to royal encroachments, and the power of the States-General was far from despicable; there was but one thing wanting, — the power of forcing the monarch to summon these national assemblies. Yet that one missing liberty annulled the rest; one hundred and seventy years of absolutism ensued, to terminate in the deposition and condemnation of the sovereign — that Major Charta of oppressed nations.

We must conclude this already long digression by one more remark. The vaunted flexibility of the British Constitution is not, we suspect, of the kind which would suit the views of many of those who pretend to attribute the revolutions of the Continent to the too precise provisoes of modern charters. It is pliant, no doubt, but, like all human institutions, in accordance with the spirit of its origin. Were any attempt made in a contrary direction it would be found stubborn enough. A vague text may doubtless afford room for various interpretations, but nevertheless there may be only one which it would be safe to adopt. A bow is as easily broken as bent, yet no one will deny that a bow is a flexible instrument, the only condition required is to bend it in the natural direction. We have no intention of constituting ourselves the champions of the different constitutions, monarchical or republican, which France has seen since the commencement of the century, but we are convinced that the worst of them would not have offered in its wording any obstacle to improvements of a liberal nature, had the ruling powers been honestly inclined. The check complained of was a check to tyrannical encroachments: and to the tyrannical encroachments of the Stuarts even the pliant Constitution of England had proved an insuperable bar. There was nothing in the Charter of 1815 which would have prevented the Government of Charles X. from extending the franchise, though it debarred him from abolishing the liberty of the press and reducing the number of elec-

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tors. The Government of Louis Philippe could have consented to the much-wished-for *adjonction des capacités*, or recognition of certain intellectual qualifications, without in any way violating the spirit of the Charter of 1830, although that Charter had recognised no such qualifications: but when he sought to restrain the exercise of the *droit de réunion*, and to forbid all political meetings, it was suddenly discovered that the Constitution was not sufficiently pliant. He was bending the bow the wrong way. Under an honest President, and an Assembly acting in good faith, the Republican Constitution of 1848 was susceptible of every amendment, but it was not susceptible of a change contrary to its original spirit; it could not be made monarchical, therefore it was pronounced to be too precise. Certainly none of these political instruments were perfect; but far better instruments would have proved as worthless in bungling or dishonest hands. Had the texts been less precise, the only difference would have been that the criminal attempts to pervert them might have been made by successive governments without incurring the same odium. It is better for the public conscience that things should have been as they were.

One is easily tempted, when writing about M. de Maistre, to indulge in the discussion of his opinions rather than to dwell on his personal history. Indeed, for biographical purposes, the collection of letters now given to the public would be curiously insufficient. The subjects treated are almost all of general interest. As the familiar commentaries of the works of an able writer they are doubtless valuable, but they are deficient in that peculiar interest which the revelations of the real life of even a much inferior man would present.

In the case of M. de Maistre, however, the politician was so bound up with the man, and circumstances had rendered his fortunes so dependent on the revolutions of Europe, that it may be doubtful whether any subject of a more private nature than politics would have been in reality of greater personal interest. The successes of Bonaparte (the *dæmonium meridianum*, as he calls him) represented to him for many a long year exile, poverty, and isolation. The restoration of peace and the consequent return of Savoy to its old masters were synonymous with wealth, honours, country, and family. When men are placed by fortune in similar situations, we generally find that (according to the temper of their minds) they either accommodate their political views to their individual situation, and unblushingly subordinate their opinions to their interest, or they merge their private cause in that of the public, and exalt their prejudices, ambition, or aversion to the rank of principles, while apparently

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overlooking them. In the latter case self-interest can be scarcely recognised at the foot of the imposing structure to which it has given rise, and it would be as vain to seek to trace its workings as to discover at the root of a stately oak the remains of the acorn from which it sprang. In Joseph de Maistre self scarcely ever protrudes. A few concise lines convey to a friend the news that 'his property is confiscated, but that he will not 'sleep the worse for that;' or again, still more briefly, to another, 'that his lands are sold, and that he has nothing left.' All his anxieties seem to be for the fate of royalty, the future of religion, and, what he considered, the cause of social order. Nevertheless a conviction remains on the mind of the impartial reader that a single circumstance changed in his personal situation might have changed all his views. Let us suppose him to have been born the son of a trader — one of 'that caste which 'he never liked,' to use his own words — and who, even among his warmest admirers will assert for an instant that his heart, his mind, and his education — in a word, all that makes the moral man, would have sufficed to produce that *ensemble* of opinions, political and religious, which he maintained so firmly, and, in appearance, so disinterestedly? He was above all, and before all, a patrician, a sort of Catholic Bramin, seeking to resuscitate an extinct caste-world, the last remains of which had crumbled before his eyes. Royalty was to be venerated, for the aristocracy, he said, 'is only a prolongation of the sove-'reignty.' Religion was to be held sacred by the noble, for 'it 'protects his privileges.' The very paradise of his dreams must have been a sort of hierarchical heaven, peopled with powers and dominations, angels and archangels. Of the curious connexion which existed between spiritual and temporal things in his mind, there are some striking examples in the Letters. We do not think, for instance, that we ever saw religion placed in a more subordinate point of view than in a certain letter to Count Potocki, which we transcribe in part for our justification: for we feel that in accusing this theocrat of having tended to lower religion (we speak without distinction of sect), we appear to be indulging in a paradox as startling as any of his own. Count Jean Potocki held, it appears, certain chronological opinions that were opposed to the Mosaic tradition: —

'. . . And upon this subject I must tell you a great truth. Irreligion is blackguard (*l'irreligion est canaille*). Therefore, setting aside all researches on its truth or falsehood, a well-bred man takes care not only never to make an *éclat*, but even not to write or speak a single word which attacks the national dogmas directly or indirectly.

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'In every country there are a certain number of conservative families which support the State; they form what is called the aristocracy or the nobility. So long as these remain pure and imbued with the national spirit, the State remains unshaken, whatever may be the vices of the Sovereign, but when these become corrupt, especially in respect of religion, the State must crumble though it were governed by a succession of Charlemagnes. The patrician is a lay-priest; the national religion is his first and most sacred possession, since it protects his privilege, and that the fall of the one entails the loss of the other. There can be no greater crime in a nobleman than to attack the national dogmas. Consider, M. le Comte, how well advised the French noblesse were to make alliance with philosophy in the eighteenth century! There lay their crime and the origin of all their misfortunes; in consequence the public conscience—always infallible, though often unconsciously so—has refused to absolve them, and has denied to them as apostates the compassion their misfortunes might have claimed.

'Pray do not be startled at the word irreligion that I have just used. The word presents no circumscribed or absolute sense; it means all that offends religion, from the boldest blows down to the most trifling levity. This latter term certainly applies better than the first to yourself. But pray answer this—supposing that I had affirmed to you on my word of honour all the circumstances of an event of which I had been the witness—if I had given you a written attestation—if afterwards in a public document you were to say,—We possess one only testimony respecting such an event,—and that this single testimony, quoted by you, proved to be the gossip of my lacquey with his friends in some public house, and that you passed me and my attestation completely over, do you not think that I should have a right to be vexed, and even to call you to account for it?

'This is precisely what you have done in respect to Moses; and which seems to me quite unbecoming in a philosopher and more especially in Count Jean Potocki, &c.'

What sceptic again ever spoke more contemptuously of religious movements in general, and of one of the greatest religious movements that ever took place in the world in particular?

'It was the interest of sovereigns, ill understood, which produced the revolution of the sixteenth century. They denied the dogmas of the Church in order to rob her of her riches. In the present day the same interest better understood will produce a contrary revolution. Protestant sovereigns must have lost their senses not to see the absurd folly of supporting a religion which recognises the right of private judgment and the sovereignty of the people in preference to another religion which maintains *that against our legitimate sovereign, were he a Nero, we have no other right than to allow our heads to be cut off while respectfully asserting the truth.*'

'Princes changed their religion in the sixteenth century to get money, and they will change it again in the nineteenth to preserve

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their thrones, (if it be not too late). Nothing is so easy as to discern the truth of dogmas which agree with our dearest interests.'

Or, what revolutionary *philosophe* ever cast more suspicion on the religion of the powerful, and thereby naturally enlisted against it the discontents and the legitimate aspirations of the unprivileged?

'Were I an atheist and a sovereign, I would declare the Pope infallible by a public edict, for the maintenance of peace and security in my kingdom. Evidently there may be some reason for fighting or even cutting each other's throats for truth; but to do so for fables would be a downright *dupery*.'

By these extracts we do not mean to put in doubt the sincerity of M. de Maistre's religious feelings; he was, we are convinced, firmly attached to that Church which had constituted and vivified feudal Europe—the Church of Constantine, Charlemagne, and Gregory VII.,—the Church that consecrated popes and anointed kings,—but it seems to us, we confess, very doubtful, whether, had he lived under the reign of Tiberius Cæsar, he would have followed the son of the carpenter, the associate of fishermen, the friend of publicans. But this is perhaps trying him by too severe a test, and one that half the bishops in Christendom would not stand. We will take another. He was fond of defining the Beautiful (after Plato) as that which pleases the patrician who is also an honest man. Judging M. de Maistre's works and opinions by this standard, we admit that they may be beautiful; they may please a patrician even though he should be an honest man; but on the other hand we can, we think, safely affirm that they will be odious to every honest man who is not a patrician.

In 1797, he left Switzerland and returned to Turin with his family, but not to remain there long. Charles Emmanuel IV., overpowered by the French, was soon compelled to abandon his continental possessions, and M. de Maistre who, as a Savoyard, was an *émigré* in the sight of French law, was obliged to fly. After various vicissitudes he was, in the year 1800, nominated by his Sovereign to fill the first legal post in the island of Sardinia (regent de la Chancellerie royale). He discharged the duties of this office during a couple of years, and then accepted, after much hesitation, the appointment of Envoy Extraordinary and Minister Plenipotentiary to the Court of St. Petersburgh. The Emperor Alexander had just commenced his reign. The Ambassadors of his Sardinian Majesty at that time enjoyed scanty emoluments and little credit in foreign Courts, and the situation, notwithstanding its high-sounding title, was far from being an

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enviable one. Separated from his wife and children, with a salary barely sufficient to provide the decencies of life, M. de Maistre spent fourteen years in Russia as the representative of a despoiled King, indefatigably pleading the cause of his master at the Court of the only prince who seemed in any way able to oppose Bonaparte. During the long leisure of his voluntary exile, most of his works were composed: 'Des Délais de la Jus-'tice divine' (a translation from Plutarch, with notes and additions); 'Essai sur le principe Générateur des Constitutions poli-'tiques;' 'Du Pape;' 'De l'Église Gallicane;' 'Les Soirées de St. 'Petersbourg;' 'Examen de la Philosophie de Bacon.' The four last works were, however, only completely terminated on his return to Turin in 1817. The attack on Bacon was published posthumously in 1836. Let us hope, therefore, that the author would not have allowed it to see the light without revisal, and that he would have retracted more than one unjust assertion and unfair interpretation. Several tracts and letters on religious subjects were also written by him at this time; among others the 'Lettres sur l'Inquisition,' which we pass over in silence. We would wish to keep our temper with M. de Maistre (who does not always keep his), and on such a subject it would be difficult to do so. Those only who wish to acquire additional proof that any cause can be defended, would do well to read these letters. His life at St. Petersburgh appears to have been one of incessant study and comparative privation, only relieved by the flattering courtesies of the Emperor, and the general esteem which his character and talents commanded. But the Letters afford us a choice of extracts in which the singular situation of this poor Ambassador at a luxurious Court is well described, and we will let them speak for themselves. The reader will see that this Inquisitor *en robe de chambre* could be a very pleasant and lively correspondent.

The following is part of a letter to a lady, under date 1805:—

'If perchance you have a fancy to know what I am doing, and how I am living, I can easily answer; my life is very like something you know, — the motion of a clock — *tic, tac.* Yesterday, to-day, to-morrow, and always. I can with difficulty drag myself out, and I often refuse dinners to indulge in the pleasure of staying a whole day at home. I read, I write, I learn, for after all one must know something. When nine o'clock comes, I order myself to be dragged to some lady's house, for I always give the preference to women; I know, madam, that you are not of the same opinion, but never mind, tastes differ. Somewhere or other then I try before the day is over to resume that native cheerfulness which has kept me up till now; I blow upon its flame as an old woman tries to light her lamp by the embers of yesterday's fire. I strive to forget the visions of broken

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heads and arms which are constantly haunting me; then I sup like a young man, I sleep like a child, and wake like a man, that is to say, very early; and then I begin over again, always turning in the same circle, and invariably placing my foot in the same place like a donkey in a mill. With this sublime comparison I conclude,' &c. &c.

To his brother, the Chevalier de Maistre, he writes at a later period:—

'This is the second winter I have passed without a fur pelisse,—which is very much the same thing as to have no shirt at Cagliari: when I leave the Court, or the Imperial Chancellor's, a very shabby lacquey throws a shopman's cloak over my shoulders. As the attendance of a single servant is considered impossible here on account of the climate and the work, in order to have a second, I have taken a thief who was on the point of falling into the hands of justice; and I have proposed to him to become an honest man under the shadow of my diplomatic protection. For the last few months I have managed to get on pretty well: the *traiteur* who used to feed, or rather poison me, having removed, I cannot get to him, and so I have made up my mind to share my servant's mess. The want of servants in this country, and in my situation, is one of the most singular torments that can be imagined, and one of which you can form no idea where you are. However I do not find that I am looked down upon, but quite the reverse. What amuses me exceedingly is to see people come and ask for my support, which they do frequently.'

But it was not so much the want of splendour or even comfort that rendered his residence at St. Petersburgh distasteful, it was the want of intellectual intercourse, the society of kindred minds, for which no court balls or reviews, nor even the coveted *entrées* at the Hermitage, could compensate. In a letter to an old Swiss friend, Mme. Huber Alléon, the yearning for conversation is gracefully expressed:—

'I receive many kindnesses at Court and in the world, but I stay at home as much as is consistent with my situation, and the necessity of taking out my young companion. I have lots of good books, and study as hard as I can, for one must try to learn a little. As to the supreme pleasures of friendship and confidence, they are nought. You may have often heard of the hospitality of this country, and nothing can be truer in one sense: one may dine and sup any where, but the foreigner never reaches the heart. I never see myself in full dress in the midst of all this Asiatic pomp, without thinking of my gray stockings at Lausanne, and the lantern with which I used to go and see you at *Cour*. Dear delightful drawing room of *Cour*. That's what is wanting here! When I have tired my horses in these fine streets, if I could find Friendship in her slippers and "talk slipper" with her, I should miss nothing. When you kindly say with our good friend, "What recollections! What regrets!" Listen and you will hear the echoes of the Newa repeat—"What recollections! "What regrets," &c. &c.'

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Those happy days of Lausanne were never to return, for Mme. Huber died shortly after. M. de Maistre's description of this old friend is as pretty a specimen of pen-and-ink portrait-painting as we can remember to have read:—

'You cannot fancy how present the poor woman is to my mind's eye. I see her constantly before me with her tall straight figure, her slight Genevese primness, her calm reason, natural *finesse*, and grave pleasantry. She was an ardent friend, though cold in all other respects. I shall never pass such evenings again as I have spent at her house,—my feet on the fender, my elbow on the table, thinking aloud, and skimming along on the wing over a thousand subjects, surrounded by her worthy family. She is gone, and I shall never replace her. When one has passed the middle of life (and I have long passed it probably) such losses are irreparable. Separated for ever from all I love, I learn the death of my old friends, the young will one day learn mine. In truth I died in 1798, the funeral only is put off. These lugubrious fancies form no contrast to public events (1807) which are far from being *couleur de rose*. Some few thankless foreigners may be as you say *sadly Russian*, but as to me I am Russianly sad....'

Nor was it one of the least of his trials to find himself at such a distance from the great scene of European action. 'I am 'relegated at one of the poles,' he exclaims in one of his letters, 'and know nothing.' He writes in all directions for news, and when he gets it, he mistrusts the appreciation of others. A few months after the coronation of Bonaparte, he writes:—

'The state of the public mind in France is the constant theme of my thoughts and in consequence of my conversation. But I know not why it is that I absolutely mistrust every body without exception. I should wish to see by my own eyes; but what should I see? Have not those whom I distrust seen likewise? And what assures me that I shall see better than they? I say all this to myself, and after this little harangue an inward voice over which I have no control repeats, —*Il faudrait voir*. I am quite out of my reckoning, and nothing has so profoundly pained me as the Pope's last act. The more I reflect on what is going on around us, the more convinced I am that this is one of the great epochs of mankind. What we have seen, and which appears to us so great, is only a necessary preparation. Must not the metal be melted before the statue can be cast? These great operations are of enormous length. A man may see sixty generations of roses, but who ever witnessed the complete development of an oak? The tree is prepared slowly. "Crescit occulto velut arbor ævo." One might perhaps predict something, but that must be the subject of a conversation,—I say more, of a winter's conversation so as not to be tempted to go out. There are few opportunities here of having those conversations that I call *substantial*, after which I go home quite happy *uti conviva satur*. The fashions, the gossip of the day, the actress, the new *ariette*, but above all (if it be allowable to quote

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Voltaire to a bishop) *O roi David*! That is all we have, Monseigneur, and one never gets beyond that!'

Yet notwithstanding his apparently unfavourable position for an observer, we find in few writers of the same period as accurate judgments on passing events, or more correct previsions of their results. We have already said that M. de Maistre was inclined to indulge in prophecy; in advancing years, this disposition even degenerated into a species of habit, and sometimes led him into strange mistakes, which we should have little merit in rectifying. Not the least curious instance of failure is his prediction that the town of Washington would never be built, or if built that it would not bear the intended name, or at the very least that it would not be the seat of Congress, for no other reason than that these three conditions entered into the plan of the founders, and that no purely human plan was ever accomplished. The establishment of a kingdom of Greece he also pronounced to be impossible. But it would be too long to point out in this age of human miracles the many impossible things that have been done, or to enumerate the shortcomings of even the most successful political prophet. Foresight is, we suspect, in spite of its pretensions to a more mysterious origin, the natural offspring of observation and experience. M. de Maistre possessed no common share of the two last qualities; no wonder then, that he should sometimes have been able to catch glimpses of a future which remained hidden to less well-prepared minds. Perhaps too his distance from the scene of revolutionary action was not so great an impediment as might at first appear; there is much truth in his own favourite aphorism: 'the eye cannot see what touches it,' and it may be, that from his remote post of observation he had a better view of the political horizon than those who were struggling in the crowd. We are tempted to extract one of his letters, although it be rather a long one, as a good sample of his prophetic powers, and also as being curiously applicable to our own times. The reasons he gives for welcoming the usurpation of the *great* Bonaparte being identically the same as those adduced by the French Legitimists of the present day for submitting to a far more disgraceful yoke.* The letter is written in 1802, after the establishment of the Consulate for life.

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* Did M. de Maistre, or any one else, ever foresee what we have seen within the last year in France, — a military despotism under a ruler who never fought a single campaign? One might almost suppose he had, for speaking of the French, he says on one occasion, — 'One is often tempted to exclaim, like Tiberius, *O homines ad ser-*

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'With all the respect that I owe you, Madame, I cannot share your opinion on the great event which engrosses the attention of all Europe, and which seems to me unique in history. You consider it as the definitive establishment, the consolidation of the evil, whereas I cannot but view it as a fortunate event under all possible circumstances. The most mature consideration has only confirmed that feeling, and for the following reasons.

'Every body knows that there are successful revolutions, and very criminal usurpations, (as regards their origin), to which nevertheless it pleases Providence by means of long possession to apply the seal of legitimacy. Who can deny that William of Orange was a very guilty usurper, and who can deny that George the Third is a very legitimate sovereign?

'If the House of Bourbon be decidedly proscribed (*quod abominor*) it is good that the government in France should be consolidated. I much prefer Bonaparte as a king to Bonaparte a mere conqueror. This imperial farce adds nothing to his power, and destroys for ever what may be properly termed the French Revolution, that is to say, the revolutionary spirit; since the most powerful sovereign of Europe will now feel it as much his interest to stifle that spirit, as he felt it his interest to develop and stimulate it when it was useful to attain his ends. We have nothing to fear now but *Tamerlanic* revolutions, in other words conquests. But even in this respect the new title alters nothing; the danger was the same and greater before, for an — even apparently — legitimate title imposes to a certain degree on him who wears it. Have you never remarked that in the aristocracy, which, by the bye, is only a prolongation of the sovereignty, there are families literally worn out? The same thing may occur in a royal family; there are even physical reasons for the decline to which people remain wilfully blind, and which nevertheless it might be highly desirable to know, as they might be avoided; but the subject would carry me too far. Has the House of Bourbon reached the point at which the inevitable fall of the Carlovingians must be repeated? The partisans of the new man say so in France, but I have very good reasons for thinking the reverse, and take pleasure in thinking it, for I am more attached to that family than to any other, always excepting the house to which I owe everything. There is however something true in the declamations of Paris. The Bourbons of France are inferior to no reigning family: they have a fair share of wit and goodness, they possess that self-respect which springs from ancient greatness, and lastly the useful knowledge that misfortune teaches; but although I think them very worthy of enjoying royalty, I consider them quite incapable of restoring it. The hand of an usurper and a man of genius is alone firm and rough

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'*vitutem nâtos!* There are several kinds of courage, and assuredly 'the French do not possess them all. Intrepid before the enemy, 'they are far from being so before any authority, even the most un-'just. . . . They have given such proofs of patience that there is no 'kind of degradation that they may not have to fear.'

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enough to accomplish that work. Even his crimes conduce to the same end; these are things that a legitimate power cannot execute. What would the king have done in the midst of all these ruins? Whether he compounded with the prejudices of the times, or whether he trampled them under foot, those prejudices would once more and irrevocably have dethroned him. Let Napoleon alone: let him rule France with his rod of iron; let him imprison, shoot, or transport all those he fears; let him make a majesty and imperial highnesses, marshals, hereditary senators, and knights of his orders; let him place the lilies on his empty scutcheon, &c. &c. &c., and then, madame, how can you doubt that the people, however silly they may be, will not have sense enough to say: it is true then, it seems, that a great nation cannot be governed as a Republic — it is true, then, that we must necessarily fall under the rule of a sceptre of some kind, and obey some man or other — it is true, then, that equality is a chimera! These simple ideas will present themselves to every mind, but I repeat to you that the king would never have made them enter into men's heads. Every body would have said,—there he is, coming back with his dukes, his ribbands, &c. &c. What necessity was there for re-establishing odious distinctions? &c. &c. . . . . I resume my fearful dilemma. Either the House of Bourbon is worn out, and condemned by one of the unaccountable sentences of Providence, in which case it is desirable that a new race should begin a legitimate succession, (this one, or any other, it matters little to the universe), or that august family will resume its place, and then nothing can be more beneficial than the temporary accession of Bonaparte, which will hasten his fall, and re-establish all the bases of monarchy without drawing public disfavour on the legitimate prince. I know not what will happen, but I know that those who say that "all is over" know nothing of the matter. The coronation of Bonaparte augments the chances in favour of the king. . . I repeat, every feeling of hatred against the usurper, turns into love for the pretender. Politics are like physics, to be worth any thing they must be experimental: I say then,—look into history, and show me any private individual who ever rose suddenly to supreme command, and commenced a royal dynasty; such a thing was never seen; I am therefore authorised to consider it impossible, else, why among the infinitely varied chances of political events, did that one never present itself? Charlemagne was Pepin, that is to say, one of the greatest in Europe. He stood next the throne and the mere force of events placed him on it. Hugh Capet, who in his turn replaced the Carlovingians, was Duke of Paris, first peer of France, the son of Hugh the Great, and his origin was lost in the night of ages. The Stuarts were expelled by a prince, and even their blood remained on the throne, for Queen Anne was a Stuart; in a word these families were, so to speak, *ripe for royalty*. But look at Cromwell, who was in the case of Bonaparte; his race did not last,—"Because his son would not reign," say good people. *O bella!* Is there not a reason for every thing? I say that those families do not last, and that is all I can say; but I think I have therefore good reason for believing that the mission of Bona-

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parte is to restore monarchy, and to open all eyes by irritating equally both Jacobins and Royalists, after which he will disappear, he and his race; as to the time it would be bold to hazard any conjecture; every wise man should say, — *Nescio diem neque horam.* But seeing the turn that events are taking we may be allowed to make favourable suppositions.'

The above contains some very remarkable passages if we consider their date. Indeed on no subject is M. de Maistre so clear-sighted as when he speaks of Napoleon. Far different in this from the other royalist writers of the same period: his hatred never blinded him, and his judgments, though severe were never unjust. Even in 1814, during the campaign of France in which his son was engaged, he writes from St. Petersburgh: —'Quand j'entends parler ici dans les salons de ses fautes et de 'la supériorité de nos généraux, je me sens le gosier serré par 'je ne sais quel rire convulsif aimable comme la cravate d'un 'pendu.'

That same peculiar and contemptuous laugh so picturesquely described, recurs more than once to the reader's mind, when M. de Maistre alludes to the faults of his own party.

After four years' residence in St Petersburg, he was joined by his son Rodolph, a youth of sixteen, (the same old gentleman who has written the scanty biographical preface to the Letters). Had he remained at Turin, the young man would have been exposed to the chances of military conscription, and might have been compelled to serve in the ranks of the enemies of his king and country. The favour of the Emperor Alexander presented an advantageous opening; young De Maistre received the brevet of an officer in a regiment of the Russian Guard, and in that capacity took part in the campaigns which followed in quick succession down to the year 1814. It has been said that those who wish to preserve their hatred should not see their enemy with his children; certainly, those who desire to preserve the stern impression produced by M. de Maistre's works, will do well to pass over the letters in which he dwells on his son's absence and dangers. It is instructive to see how the unpitying apologist of war suddenly abhors it as a father. *Bellaque matribus detestata.* 'None know what war is,' he exclaims, 'save those who have 'their sons engaged in it.' He does not comfort himself by reflecting that 'mankind may be looked upon as a tree that an 'invisible hand prunes unremittingly, and which often gains by 'the operation.'* When one of his own branches runs the risk of being lopped off, how different is his view of the beneficial

* Considérations sur la France, chap. iii.

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operation! What would he have said to some stern logician who should have sought to prove to him in his own words that nothing could be more just than that he in particular should lose his son; for that, 'when a philosopher makes up his mind to great 'calamities in consideration of the results,—when he says in his 'heart, *if a hundred thousand murders be necessary, let them take 'place, provided we are free,*—if Providence replies, *I accept 'thine approbation, but thou shalt help to make up the number;* 'what can be more just?'* Really when one reads his letters to his son, and some to his unknown little daughter, one is almost disposed to hope that this terrible Joseph de Maistre was not so fearfully consistent after all. How far are the feelings expressed in the following letter, for instance, from the composure with which all subjects of general humanity are treated?

'As to public affairs, I can only write what His Majesty had doubtless told you already. The present epoch is like no other, and history presents no precedent or analogy to aid our judgment. If one could conceive any hopes, they must be founded entirely on the astounding rapidity of successes which seems incompatible with their duration. But when I think that posterity will perhaps say, "that "hurricane only lasted thirty years," I cannot help shuddering. Although Nature has blessed me with a certain fund of cheerfulness, I feel that I am bowing beneath my burden. . . . At the close of my monotonous days I throw myself on my bed, where sleep, which I invoke, does not always attend. I turn and toss and exclaim like Hezekiah, *De mane usque ad vesperam finies me.* Then poignant thoughts of my absent family transpierce me. I fancy I hear *them* crying at Turin. I strive to picture to myself the face of that child whom I have never seen. I see that orphan daughter of a living father, and I ask myself whether I shall ever know her. A thousand gloomy phantoms hover round my cotton curtains.' . . . .

One might have supposed that the devoted subject who had given up country, friends, and fortune rather than forswear his allegiance, and had led in the service of his king during many years the life we have described, would have been secure from any of those eclipses of favour or sudden jerks of authority by which princes are so apt to try the submission of their most faithful subjects; yet this was not the case, and the all but honorary ambassador found his intentions suspected and his proceedings disavowed with almost ludicrous mistrust. In a letter to the King of Sardinia, he writes: 'Three things have been 'wanting for the success of this embassy; first of all, that 'boldness which arises from the conscious possession of favour 'and confidence,' &c. &c. Among the various projects which

* Considérations sur la France, chap, ii.

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in turn occupied his ardent mind, there was one on the success of which he appears to have built great hopes, and which was certainly not quite consistent with the rules of diplomatic etiquette. He had formed the plan of going to Paris to see Bonaparte, and plead in person the cause of his Sovereign. The restitution of Piedmont he considered impossible, but he supposed that some compensation might be obtained. His knowledge of human nature led him to think that there was more likelihood of success by making terms with the usurper himself, who would be flattered by the recognition of his omnipotence, than by trusting to indirect negotiation. The continental allies of the King of Sardinia were, in 1808, in no situation to make stipulations in favour of other sovereigns. England alone might have afforded efficient protection, but M. de Maistre had no faith in the alliance of mixed governments.

'Such governments render all alliances very precarious; peace or war is often declared on 'Change before it is declared at the palace, and no minister can resist the clearly expressed wish of the nation. Moreover, the noble career of the king draws to a close, and in his room we shall have a pupil of Fox, in whom I place little confidence. Even in the full force of the present reign, and with the vigour of the late ministry, have we not seen Pitt, when accused of having forsaken us, say in open Parliament, — "We should have rendered the "King of Sardinia a sorry service by placing him in contact with the "incendiary Republics of Italy." At the treaty of Amiens I find His Majesty weighed in the balance against the Island of Ceylon, and totally sacrificed without hesitation.'

He goes on to observe, with more justice:—

'When a final peace (supposing it to be possible) comes to be concluded with that man who holds all Europe in his hands — if he remains inexorable, and offers acceptable terms to England without mentioning us, will England make war for the king?'

We have not space to enter into all the details of the affair, which had no other result than to prove the zeal and boldness of the originator; but we recommend to our readers the letter (to be communicated to the King) in which M. de Maistre explains his conduct in the whole business. It is a masterpiece of submissive irony, full of respectful epigrams, and showing how much more every man is influenced by his natural disposition, what the French call *caractère*, and is more strictly the 'temper of the mind,' than by any system. The unconditional professor of the doctrine of non-resistance even to torture, brooked with very ill grace the slightest offensive insinuation from his Sovereign. The King of Sardinia, who would willingly have profited by the success of the hazardous trial, considered

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his dignity compromised by its failure; and M. de Maistre was obliged to appease the scruples of the Court by showing that he had acted in a private capacity, and had intended (had the interview been granted) to go to Paris, not as an ambassador, but at his own personal risk. He had, however, as he sarcastically writes, little apprehension on this head.

'I had not much fear of Bonaparte. The first quality of a man born to subdue and lead others is to know men. Without that quality, he would not be what he is. I should be glad to think that his Majesty deciphered me as well.'

And then he adds, after a few explanations:—

'Why then was my project so ill-received at Cagliari? I fancy you have unconsciously told me the reason in the first line written in cypher in your letter of the 15th, where you say that mine is a *surprising* document. There it is! the Cabinet is surprised! all's lost! The world may crumble around us, God defend us from an unforeseen idea! And this shows me more clearly than ever that I am not your man! for I may promise to transact his Majesty's business as well as any one else, but I cannot promise never to surprise you. It is a natural defect to which I see no remedy. . . . Every minister who acts upon his own ideas on the few occasions when he cannot consult, knows very well that it remains optional with his master to say yes or no; but when you write that *his Majesty, without lending sinister interpretations to my conduct, &c. &c. &c.*, it is precisely as though you had written to Marshal Souwaroff,—"*the king, M. le Maréchal, "without considering you a coward, thinks nevertheless, &c. &c. &c.*" I say no more on this head, for it is as easy to lose one's temper in writing as in speaking.'

At last the long-expected, the often-foretold day came, and Bonaparte fell. No man hailed the event with greater joy than M. de Maistre, and no man was fated to be more disappointed in its results. The treaty of Paris, by which Savoy was annexed to France, was the first blow to his hopes. He found himself, at the age of sixty, without fortune and, in a certain sense, without a sovereign. Although Savoy was subsequently restored to its old masters, the first elation of triumph never returned. He soon saw that the much-desired Restoration had not restored in reality those things for which he had so long mourned. The old monarchical institutions of France—to which he would willingly have applied the famous words of Ricci when speaking of the Statutes of the Company of Jesus, *sint ut sunt aut non sint*—were replaced by a modern charter of English origin. The House of Bourbon, the cornerstone of European monarchy, was indeed reinstated, but the edifice of which it had been the support for ages was destroyed, and in its place there arose a new temple, in which the rising generation

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was to serve strange gods. Even the Sovereigns, assembled in solemn congress, proved faithless, in his opinion, to the cause of monarchy. The treaties of 1815 — so obnoxious to the revolutionary party — appeared to him, and perhaps with more reason, the suicide of royalty. To parcel out kingdoms, and arbitrarily to allot and adjust sovereignties, in order to obtain a fictitious equilibrium while trampling on national sympathies, and disregarding the claims of royal colleagues, was, he considered, to enthrone anarchy. Bonaparte himself had done no more. If might was to be substituted to traditional right in the councils of kings — if there were to be *greater* and *lesser* powers — if a king could be despoiled by a decision of his peers — then the sacred character of sovereignty was gone. The case of the King of Saxony — so severely punished for having remained faithful in adversity to the man to whom half the Sovereigns of Europe had cringed in prosperity — particularly excited his indignation. With a strictness of logic to which diplomatists who cut out kingdoms on paper will, we fancy, find little to oppose, he wrote: — 'The maxim has been admitted, that a 'nation may be deprived, against its will, of its legitimate sove-'reign. The first direct and inevitable consequence is, that the 'thing may be done with still greater reason when the nation 'demands it. If subjects can demand that their Sovereign be 'judged, why may they not judge him themselves?' 'The 'Congress,' he writes to another correspondent, 'is sowing the 'dragon's teeth.'

Disgusted with all that was going on in Western Europe, M. de Maistre resolved to remain in Russia, where his family had at length joined him. It was a country where he was known and respected — where he had formed many ties, and where he was not likely to be annoyed by constitutional novelties. An event which could scarcely have occurred under the empire of any constitution, altered his determination, and caused his return to his native country. One day, in December, 1815, in virtue of an imperial ukase, the Jesuit fathers established at St. Petersburgh were all arrested, wrapped up in fur pelisses, placed in covered kibitkas, and hurried off from the capital without being even allowed to take leave of their friends. It was a period of great religious excitement in Russia. The Greek Church was considered in danger. Several conversions to Roman Catholicism had taken place within a short space of time in the highest circles of St. Petersburgh; and the Jesuits were accused of having effected them. M. de Maistre himself was suspected of having influenced some of the new converts. His talents as a controversialist, and his zeal for his own Church,

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were undoubted; and if we may judge by some letters addressed to Russian friends on religious subjects which we find in the present collection, we are inclined to think that the accusation was founded, although he certainly never counselled open abjuration. His reply to the scruples of converts on that chapter was that of Elisha to Naaman the Syrian: 'Go in peace;' and, like a true Jesuit, he saw no harm in bowing down in the house of Rimmon if the Master worshipped there. In a private interview with Alexander, M. de Maistre succeeded in dispelling, to a certain degree, the suspicions that had been entertained against him; but thenceforward his situation was altered at St. Petersburgh. 'In a country like Russia,' he writes, 'there should be no cloud between the Sovereign and a foreign 'minister.' The Roman Catholics had become a suspected class in the eyes of the Emperor, their religion was only tolerated, and might any day be exposed to persecution. The Jesuits — the instructors and friends of his youth, to whom he owed, as he said, 'that he was not an orator of the Constituent 'Assembly,' and who were, besides, the spiritual directors of his family — were proscribed. He wrote to Turin to ask his recall. In the month of May, 1817, a Russian squadron was sent into the Channel to transport the troops that were to leave France. M. de Maistre, as a last mark of imperial favour, was permitted to embark, with his family, on board the 74 gun ship Hamburgh. After landing at Calais, and rapidly traversing France, he returned to Piedmont, after an absence of five and twenty years.

Fame and honours awaited him there — he was appointed to one of the chief offices of the kingdom (Régent de la Grande Chancellerie), with the title of Minister of State. Several works, 'Le Pape,' 'L'Eglise Gallicane,' 'Les Soirées de St. 'Petersbourg,' were completed and published in turn with immense success. Nevertheless and notwithstanding the apparent triumph of counter-revolution, Joseph de Maistre was a disappointed man. A tone of dejection reigns throughout all his letters of that period. Gloomy forebodings and sinister predictions constantly recur. To M. de Marcellus he writes: — 'D'autres épines s'enfoncent dans mon cœur; mon esprit s'en 'ressent; de petit il est devenu nul; *hic jacet;* mais je meurs 'avec l'Europe; je suis en bonne compagnie!' He had the conviction that new and more fearful political convulsions were impending, and he expended his last energies in denouncing the coming evil. A Sicilian nobleman who visited him at this time described in picturesque language the contrast between the venerable appearance and the youthful vehemence of the old

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statesman: — '*Pare il nostro Etna; ha la neve in testa ed il fuoco in bocca.*' The concessions of princes, however reluctant, to the spirit of the age seemed to him a more fearful symptom of social demoralisation than the wildest excesses of Jacobinism. He had combated Robespierre; but his political creed forbade him to attack the descendant of St. Louis, who was calling regicides into his councils. When the Church had been persecuted and despoiled by her enemies, he had protested, and hoped for better days; but now the 'eldest son of the Church' was seated on the throne of France, and yet the restitution of ecclesiastical property was as impossible as ever. The most important conquests of the French Revolution were being daily sanctioned by those at whose expense they had been effected. The spirit he had wrestled with during his whole life had assumed a novel and more insidious form; and under its new shape he could not contend with it. Perhaps he may have recognised at last that it was invincible. Perhaps the doubt that he once, and once only, so gracefully expressed to a friend may have more than once assailed him: he may have repeated to himself, that, 'like Diomed before Troy, he had perhaps wounded a 'Divinity while pursuing his enemies.' We only hazard a conjecture, for outwardly there was no faltering. Faithful to his own maxim, that the greatest fault that a man can commit is to stumble at the close of his career, or even to retrace his steps, he never retracted an opinion. But he retired from a strife in which he might be exposed to combat his former friends. In a letter written in 1818, and which has not been published in the present collection, he explains his silence: —

'Several persons have done me the honour to make the same question that I read in your letter, — "Why do you not write on the "present state of things?" I always return the same answer. In the days of the *canaillocracy*, I could at my own risk and peril tell those inconceivable sovereigns the truth, but now those who are in error are too highly-born for it to be possible to speak the truth to them. The Revolution is far more terrible now than in Robespierre's time: as it has risen it has become more refined. The difference is the same as between mercury and corrosive sublimate.'

The same feeling pervades his whole correspondence at this time; and one should read the letters that passed between M. de Bonald and himself in the unconstrained interchange of political sympathy, to understand all the difficulties that restored princes have to deal with.

Family sorrows soon added their weight to the trials of the statesman and the natural burden of increasing years, and the robust constitution which had resisted the climate of St. Peters-

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burgh, gradually gave way. On the 26th of February, 1821, Count Joseph de Maistre expired at Turin, of the effects of slow paralysis. The unfortunate Revolution of Piedmont, which he had repeatedly and vainly foretold, burst forth only a few days after his death.

It was M. Ballanche, we believe, who, many years ago, first applied to Joseph de Maistre the epithet of 'Prophet of the 'Past,' and thus embodied in one picturesque sentence the best description of his peculiar mind, style, and character. The expression was deservedly successful,—*fit fortune* as the French say,—and has been extended to a whole group of men who, standing like De Maistre on the confines of the last century, looked out anxiously from the midst of the revolutionary storm in which they were enveloped towards a reparatory and avenging Future. Chateaubriand, Bonald, Lamennais (we mean the Lamennais of former days), were among these. There is a prophetic tint cast over the writings of these men which cannot be entirely overlooked; and some of the pages of Chateaubriand, in particular, are, even in the present day, startling to read, so completely have some of his previsions been verified. But this curious characteristic is equally observable in many of their inferior contemporaries, and may be discerned more or less in all writings that are the offspring of troublous and insecure times. There seems to exist in man an unfortunate restlessness under uncertainty—an insatiable desire to know the end of all things, which, coupled with the fact that nothing ever is completely ended in this world, would suffice to make him wretched if he had not the resource of inventing what he cannot discover. In a word, when men cannot see they foresee, and a clouded political horizon calls forth prophecy as naturally as sleep begets dreams. It is not, therefore, as Prophets, but as Prophets of the Past, that these writers were peculiar, as men who foretold, not coming, but returning things, and whose oracles spoke only of restoration. Considered in that light De Maistre stands foremost of the group for good and evil. More brilliant than Bonald, more consistent than Lamennais, he differed widely in one respect from Chateaubriand. The latter belonged only partly to the past. The author of 'Les Martyrs,' and of the 'Génie du Christianisme,' may indeed be claimed by the Middle Ages; but the writer in the 'Journal des Débats,' and the orator of the Chamber of Peers in 1825, belonged to the nineteenth century. Strangely enough it was in his early days that Chateaubriand indulged in those lingering backward glances which are generally the symptoms of declining faculties, and it was only later in life that he made up his mind to live in his

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own day. It was in his mature years that — to repeat a remark reproachfully made by one of his ultra-Catholic biographers — 'he resolved to cast his talents into the gulph of the age, as the 'Doges of Venice cast their ring into the sea that they wedded 'with her tempests, her monsters, and her impurities.' Such a stormy, perfidious, and polluted bride had no charm for De Maistre, and no man can be said to have been less influenced by the spirit of the age he lived in, and the moral atmosphere by which he was surrounded. He was a living anachronism — a man of the sixteenth century born two hundred years too late. In this he resembled Bonald. In all matters of faith and opinion there is scarcely any difference between them; but how diverse was the form in which those opinions were expressed! Joseph de Maistre was fond of pointing out the curious conformity of thought between himself and the frigid and heavy Bonald, and of alluding to what he called, in theological language, the '*loca* '*parallela*,' to be found in their works; but the most friendly disposition could hardly have made him discover in the writings of his brother theocrat the originality and brilliancy which cause his to be read with pleasure, even now, by a sceptical and unsympathising generation. In both we find the same gratuitous display of almost cynical inhumanity. If M. de Maistre has represented capital punishments as one of the poles on which Society revolves, and the executioner as one of its chief magistrates; M. de Bonald, on the other hand, could boast of having uttered, in the Chamber of Peers, words which, in their bland barbarity, can scarcely be matched in the records of any revolutionary tribunal: 'To condemn a man to death, he said, 'was 'only to send him before his natural judge!' The same dogmatism, the same pretensions to inspiration, the same confusion betwixt novelty and error, are to be found in both, but in De Maistre alone these were relieved by a play of fancy and felicity of expression, which strangely enough remind one often — with a difference — of Voltaire. He may be said, indeed, to have constantly fought with the arms of his adversaries, and his political co-religionists are, perhaps, so proud of him only because he possessed to a certain degree those qualities which they affect to despise as superficial in their opponents. Wit, for instance, was considered by the men of his party, and, indeed, is considered by many dull people all over the world, as an unworthy auxiliary in a good cause*, yet Joseph de Maistre's wit, which

* A story is told of Count Marcellus, one of the members of the Bonald and De Maistre school, which amusingly exemplifies this. A friend was congratulating him on the cleverness with which the

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was by no means of the first order, is a constant theme of exultation with his admirers. In this matter of wit, indeed, many people hold curious notions touching the fitness, and even the possibility of husbanding it, for certain solemnly-appointed holidays of the mind. Our observations would lead us to establish a rule, which from its simplicity we should be ashamed to transcribe, if we did not see it daily put in doubt. Those who possess wit employ it even on the most every-day occasions, and those who have it not manage to dispense with it even when it would be most seasonable. In the intellectual world prodigality and wealth, economy and poverty, are much oftener synonymous terms than is generally supposed. Wit especially is a form, not a garment of the mind, and cannot be put on or cast off at will. Who has not heard of Beaumarchais's witty memorials to his judges on the most prosaic questions, and who has not read scores of dull epigrams? Every one instinctively and necessarily uses the weapons which Nature has furnished. The loveliest woman in the world must darn her stockings (if she be condemned to that employment) with the help of those same lustrous eyes which could enslave a hero. The nature of the task or the object to be attained have little to do with the means employed, for the first alone are matters of choice. If the latter are more brilliant than the undertaking required, the lookers-on have no right to complain. Some years ago a learned farmer somewhere published the account of an experiment, in which a potatoe-field was fertilised by the application of electricity. We speak in profound agricultural ignorance, but, supposing the thing to be possible, who would regret the offensive compost that our ancestors considered alone in possession of the power to produce potatoes, and who would think that Heaven's lightning had been misapplied? No one, except, perhaps, those who consider eloquence as unbecoming in familiar subjects, and wit as unseemly in serious ones. In literary matters especially the means often ennoble the ends, and a pleasant journey may be performed between two uninteresting points. Since the days of the Druids many a worthless mistletoe has been gathered with a golden hook, and been made sacred in the gathering. Let, then, Liberty — that smooths all difficulties, makes all things easy, and adjusts all differences, — reign supreme in her intellectual domain! Let there be no sumptuary laws in the

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'Quotidienne,' one of the organs of the Royalist party, was conducted, and concluded by saying that it was even a witty paper. 'Ah!' rejoined M. de Marcellus, 'that's what vexes me; there is always 'something satanic in wit.'

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Republic of Letters! We are far from finding fault with M. de Maistre for having sometimes clothed his thoughts in an unusual garb, and are convinced, on the contrary, that his works will live precisely on account of the contrast between manner and matter that they exhibit. His thorough acquaintance, for instance, with classical and Pagan literature, furnished him with quotations and arguments rarely to be found in theological disquisitions, and which many of his fellow-labourers in the same field would have considered profane. The quotations are, perhaps, too frequent for good taste, and things are often said in Latin which might have been as well expressed in French, for M. de Maistre, like many other writers, seemed to think that truth in a dead language is doubly true; Plato, Cicero, and Seneca are often pressed into strange service; but to these pagan and philosophical predilections he was indebted for a style at once perspicuous, concise, and vigorous, that will not often be equalled, we suspect, by the rising Ultramontane generation, which is to be nurtured exclusively in the Latinity of the early Fathers. Could M. de Maistre witness the dispute concerning the Pagan classics which divides at this moment the Episcopal body in France*, there is little doubt that, in spite of his aversion to Gallicans, he would side with them, rather than admit that the Hymns of St. Gregory the Great could be substituted with advantage for the poetry of Virgil, or that the prose of Thomas Aquinas could be studied with impunity instead of the 'Orations of Cicero.' Nor was he content with borrowing from the Ancients; Voltaire, Jean Jacques, and even his enemy Bacon, are all laid under contribution; in a word, he may be said, in the widest sense of the expression, to have followed St. Augustine's advice and example, and to have 'spoiled the 'Egyptians.'

* The quarrel, which is of old standing, was revived a few months ago, on the occasion of a work by l'Abbé Gaume, with the following significant title, — 'Le Ver Rongeur des Sociétés modernes, ou Le 'Paganisme dans l'Education.' The fight has been kept up warmly by both parties, and bishops on either side have exchanged angry letters and charges, without perceiving that the public is looking on with mingled indifference and contempt, the usual result of family quarrels. English readers will recognise in this, an exaggeration of Foster's Essay, 'On some of the causes, by which Evangelical 'Religion has been rendered unacceptable to persons of cultivated 'taste.' That there, however, was once a time when the contrast between the heathen spirit and the Christian spirit might reasonably have been expected to be fatal to the spread of Christianity, see p. 214. of that most original work 'the Eclipse of Faith.'

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To all these blemishes, as we said before, we are inclined to be lenient; were M. de Maistre's style more in harmony with his subject, he would be still less to our taste. The real defects in his writings are the arrogance of his tone and his authoritative dogmatism, which seem scarcely consistent with a free exercise of reasoning powers. Before a man argues with others, he has generally, if he is conscientious, argued with himself; but there is not a trace of any such mental process having been gone through in M. de Maistre's case. There are no misgivings on any subject, not even on the most minor points of his doctrine; no remains of vanquished doubts showing that a *bonâ fide* combat had taken place in his mind. Doubt is so essential a part of our frail human nature, that we can scarcely comprehend sincerity without it. We are disposed to believe that Joseph de Maistre was convinced of the truth of all the doctrines he advanced, but the impression conveyed by his writings is that he would have continued to assert them as pertinaciously had he suspected them to be false. It is impossible to imagine him retracting any opinion, and this robs his perseverance of much of its value. No man carried out more completely the system of mental submission inculcated by the Romish Church, and his faith never allowed him to question even the most trifling points of his belief; his defence of them does not therefore necessarily imply that he had ascertained their truth even satisfactorily for himself. It is difficult to understand how, under these circumstances, modern innovators (and among others the St. Simonians) should ever have associated his name with the idea of a religious reform, or a new Divine Revelation. There is no doubt that a few sentences in the 'Soirées de St. Petersbourg' convey in somewhat mystical language the notion of some great approaching event in the Christian world; but we wonder that the indignant shade of De Maistre did not arise to reproach with its presence the audacious commentator who first dared to draw from thence any inference against Rome. He may have fancied that a Hildebrand might arise to remodel the Catholic world, but that was all; and any revolution he could look forward to must have originated with Rome herself.

The last remark we have to make applies not only to M. de Maistre's works, but to those of all men who hold his political opinions. It is difficult to understand why they write at all. The mere fact of publishing a book is a concession to that fatal spirit of inquiry and examination which they affirm has ruined the world. If human reason is so completely impotent to produce any good, why do they appeal to it? Logically, the dogmas of Authority should only be expounded with sword and

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cannon, and the tenets of Liberty should alone be spread by discussion and writings. But after all, it does come to that; and force, we feel, is at the bottom of the arguments of all such writers. They know, at heart, as well as we do, that reason is not to be argued into an act of suicide, and that the pen is not their proper instrument. The paternal explanations afforded by absolutists, reduced by the rebellious spirit of the world to the humiliating necessity of writing books, always remind us of that last thrilling dialogue between Little Red Riding Hood and the wolf in Grandmama's clothes. Mild and even affectionate replies are vouchsafed to every question, and each member of the monster is in turn declared to have been made for the especial benefit of the innocent inquirer. Grandmama, what a big civil list you've got! and many other doubtful exclamations may be all in turn satisfactorily answered; but let the confiding interlocutor come within reach of the dissembler, and venture that last inevitable inquiry about Grandmama's teeth, and we all know the fatal and conclusive answer. We make no exception to our rule of mistrust in such cases in favour of De Maistre, notwithstanding his apparent toleration and philosophy in argument. Tolerant he no doubt was, as the suspected guest of a schismatic autocrat; and as long as force sought to silence his voice, he only demanded free discussion and a fair philosophical field; but if the government of his hopes had been established, what would have been the change? For our part, we feel not the slightest doubt on the matter, and have a comfortable conviction that, circumstances permitting, the system of which this most Christian philosopher was the advocate would have condemned him to the painful necessity of having us burned as heretics, or, at the very least, hanged as Edinburgh Reviewers. In vain he tells us in his favourite Latin that his rule of conduct is, *tantum contende in republica quantum probari tuis civibus possis*, we cannot be reassured. A certain number of chosen heretics might indeed have been reserved, like intellectual gladiators, for controversial combats, but with the rabble he would evidently not have thought it worth while to parley. Like Ulysses (we beg his Majesty of Ithaca's pardon for mentioning him almost in the same breath with Little Red Riding Hood) when he harangues the Greeks in the second book of the 'Iliad,' M. de Maistre might indeed only have used the sceptre of the King of Kings, had it been confided to him, to add authority to his eloquence while addressing his equals; but had any inferior rebel opposed him, we feel convinced that, like Ulysses, he would have felt no scruple in laying about him with his sceptre, and belabouring the audacious rebel with it.

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We have attempted to convey some idea of the Life and Character of Joseph de Maistre, and of the spirit which pervades his writings. A more complete analysis of his works would be impossible within the limits of an Article; they treat of almost every subject within the range of theology, philosophy, and politics, and his earnest and elaborate defence of the Papacy might alone furnish matter for volumes of criticism. If, however, the foregoing pages induce some of our readers to study his writings, we shall not consider that our labour has been misspent. Every true lover of liberty and humanity must rise from the task invigorated and refreshed — strengthened in an opposite faith, and proud of those conquests against which even such attacks are impotent. It is no despicable advantage to a liberal mind to meet now and then with a worthy adversary. In the security of undisturbed possession, we are apt to disregard the most valuable blessings; they only become really our own when we have defended and, so to speak, reconquered them. It is good to have to find reasons for opinions which we have inhaled in the moral atmosphere around us rather than acquired by any individual mental process: it is like regaining a family inheritance after a long and arduous suit. In another point of view, too, the works of De Maistre are instructive. On the Continent they are quoted and eulogised daily by men who, without his talents, have inherited all his views, and a numerous tribe of degenerate followers devoutly repeat his fearful paradoxes as though they were oracular truths. It is well that every one should know to what structure these fragments belong, notwithstanding their specious beauty. The spirit of the Middle Ages, under the more plausible name of Reaction, is once more abroad: it may be useful to study its meaning in the works of one of its most explicit and consistent advocates. We may gather a just notion of its baneful influence on the ignorant and the narrow-minded, by seeing to what monstrous paradoxes and wilful blindness it reduced one of the clearest intellects of the age, and to what terrible logical conclusions it conducted one so highly gifted that the negation of Progress seems a blasphemy under his pen, and that his most determined opponents, while detesting his doctrines are tempted to exclaim, Would that he had been one of us!

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ART. II. — *Life and Letters of Joseph Story, Associate Justice of the Supreme Court of the United States, and Dane Professor of Law at Harvard University.* Edited by his Son, W. W. STORY. London: 1851.

THE Virginian planter used to boast, it was said, of his resemblance in character and position to an ancient Roman. But when the United States are seeking for a flattering parallel with Rome, we would advise them to place it in the decided vocation of their citizens to the sciences of Government and Law. It may be a question whether Europe is not premature in reproaching America with living on a borrowed literature. But, supposing the charge to be well founded in the case of poetry and metaphysics, (and we perceive Story writes to his son, 'I am tired, as well as yourself, of the endless imitations by 'American poets, of the forms, and figures, and topics of British 'poetry. It is time we had something of our own:') the very opposite is the fact in regard to Jurisprudence. The profession of the Law constitutes its real aristocracy, the aristocracy of character and talent.

The juridical foundations, it is true, are the same in both countries. On the adoption of the Common Law being discussed before the Senate of the United States, the opinion of President Adams, then Vice-President, 'as of a great lawyer (which he 'certainly was) and as a great revolutionary patriot, was called 'for on every side. He rose from his chair, and emphatically 'declared to the whole Senate, that if he had ever imagined 'that the Common Law had not by the Revolution become the 'law of the United States under its new government, he never 'would have drawn his sword in the contest. So dear to him 'were the great privileges which that law recognised and en-'forced.' The Reports of Westminster Hall have not been published many weeks, before they are carefully and respectfully studied from one end of the Union to the other: fortunately, however, with an enlarged and independent judgment. American lawyers are not so strict as those of the mother country in their attachment to every thing in the Common Law, and readily 'yield to rational expositions as they stand on a more general 'jurisprudence:' and the Courts of the United States are supposed to offer great advantages for a comprehensive re-examination into principles. The consequence is, that we look in vain over the legal literature of England for names to put in comparison with those of Livingstone, Kent, and Story. Lord Bacon fondly hoped, that future ages might ask, whether he or Coke had done

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most for the Law of England. The adoption of the writings of Coke at that turning period of our legal history, as the exclusive model for the lawyers of after times, makes it impossible to say what would have been the amount of change introduced into our books and methods if this expectation had been realised. As it is, we have so often sacrificed principles to precedents, that even Lord Stowell reluctantly admits to his correspondent, (i. 556.) 'I rather think we are too fond of cases.'

Joseph Story was born at the fishing town of Marblehead, on the coast of Massachusetts, in 1779, and died at Cambridge, U. S., in 1845, aged sixty-six. We see no signs of what his son calls 'the Calvinism of its scenery,' uniting with the Calvinism of its pulpit in leaving any characteristic impression on his mind. At the same time, the four years (from æt. 15 to æt. 19) that he passed at Harvard College, of which he was destined to become so great an ornament, were marked by nothing personal so much as by the early assertion of his intellectual freedom in abandoning the religious opinions of his family. Whilst there, the young Calvinist, the son of *Elisha* Story and *Mehitable* Pedrick, became a Unitarian. After four years of preparatory study at Marblehead and Salem, and four years of successful practice at the Essex Bar, we find him Member of the Legislature of Massachusetts, and soon afterwards chosen Speaker. In 1812, Mr. Madison appointed him, at the age of thirty-two, one of the Judges of the Supreme Court of the United States. This appointment obliged him to reside at Washington during the winter, and to travel in circuit twice a year throughout the seaboard States of New England. Meantime Salem continued to be his home until 1829. In which year he accepted the Dane Professorship of Law at Harvard University, and transferred his family to Cambridge, where he closed his honourable life. Thus was he, during the space of thirty-four years, a most distinguished Judge of the Supreme Court of his country; during the last sixteen being also a most distinguished teacher of law in its most celebrated University: at the same time the author of more text books both of a higher order and on almost every branch of jurisprudence than any writer of his age.

The world has done ample justice to the fame of one of its greatest jurists: and after reading his Life and Miscellaneous Writings, there can be no difficulty in accounting for his personal influence and popularity. Vast professional erudition was not purchased by him at the expense of general usefulness or agreeableness. He could never have been suspected of being so engrossed by business, as to leave his clerk to choose his wife or

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friends for him. His early love of literature remained with him to the last, and both Basil Hall and Lord Carlisle have recorded the attractions of his society. He seems also to have had always leisure for every possible demand of public duty or private friendship. Defective branches of the law, as the Bankrupt Law and Criminal Law of the United States, found in him a zealous reformer: and he presided over the preparation of an elaborate Report, with well considered distinctions, in favour of a code for Massachusetts. The notes he contributed to Wheaton's Reports, fill a hundred and eighty-four closely printed pages. He no sooner heard of Mr. Greenleaf's project to publish a volume of Overruled Cases, and an edition of Hobart's Reports with annotations, than he zealously proffered his assistance, rejoicing 'that 'there are gentlemen at the Bar willing to devote their leisure 'to the correction and ministration of the noble science of the 'law. It is redeeming the pledge which Lord Coke seems to 'think every man implicitly gives to our profession, on entering 'it. It is eminently useful, because it accustoms lawyers to 'reason upon principle, and to pass beyond the narrow boundary 'of authority: I want to get a copy and interleave it, so as to 'provide gradually for a new edition. Pray do not think that 'anything in which I can aid you will be a labour to me.' He furnished various articles to the American Jurist: and those contributed by him to his friend Dr. Francis Lieber's Encyclopædia Americana, extended to one hundred and twenty pages in closely printed double columns. Nor was this voluntary addition to his labours limited to professional subjects. Was a cemetery to be consecrated at Mount Auburn, a eulogy to be delivered at the funeral of a colleague, a free-trade memorial to be drawn up, a hortatory lecture to be pronounced to a Mechanics' Institute or to a Literary Society, the great Jurist answered to the call with equal alacrity and ability.

There are two topics, however, in American life, in which it is impossible for any honest and earnest citizen to conciliate the good opinion and good will of all his countrymen. These are the question of the Constitution — or on what terms State Sovereignties and the Federal Sovereignty, are to be adjusted— and the question of Slavery.

Joseph Story entered public life in 1805, when Federalism was so predominant in Massachusetts, that his avowed sympathy with the Republican party, and his consequent support of the administrations of Jefferson and Madison, not only seriously injured him in his profession, but to a great degree excluded him from the best society. Many years afterwards, in a speech in the Convention of Massachusetts, he retraced with great feel-

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ing the party animosities of those times,—not regretting the course his judgment then led him to adopt, but reflecting with the most profound melancholy on the averted eyes it had cost him, and deprecating his contemporaries leaving to their children the bitter inheritance of similar contentions. Yet he can never have held extreme opinions or have maintained them with offensive violence. In a biographical letter to Mr. Everett, speaking of this period, he observes, 'I will add, because it is but common 'justice to myself, that, though an *ardent republican*, I was 'always liberal and stood by sound principles. I was avowedly 'a believer in the doctrines of Washington, and little infected 'with Virginia notions, as to men or measures.' Afterwards, when party nomenclature turned into Whig and Democratic, and he now voted with the Whigs, he was conscious of no alteration in himself. 'I seem simply to have stood still in my 'political belief, while parties have revolved about me: so that 'though of the same opinions now as ever, I find my name has 'changed from Democrat to Whig, but I know not how or why.' He states, however, in the preface to his Commentaries on the Constitution, that their materials had been mainly derived from the Federalist and the judgments of C. J. Marshall. Probably, therefore, more of difference than he was quite aware of had crept into this branch of his opinions. At all events, these authorities brought him into direct antagonism with the principles of the most dogmatical of his early chiefs. Kent, in bearing witness to the address with which the most debateable points of American constitutional contests are handled in Story's Commentaries, expresses his admiration of 'the bold and free 'defence of sound doctrine against the insidious, mischievous, 'and malignant attacks of Jefferson.' The explicit systematising of Mr. J. Story's constitutional creed had evidently been reserved for his coming within the orbit of C. J. Marshall, as one of the Judges of the Supreme Court. But the estrangement between himself and Jefferson commenced earlier: at least as early as Jefferson's discovery in Congress, that Story meant to have an opinion of his own, and to freely act on it. This was on the repeal of the Embargo of 1809. Story on that occasion described the Embargo as the mad scheme which Jefferson with his usual 'visionary obstinacy was determined to maintain.' He himself considered it destructive of New England: and a confidential letter to Mr. Fay (p. 177.) authenticates the sincerity of his alarm. On the other hand, Jefferson attributed his defeat 'to Story, one pseudo republican:' and never forgave it. 'Pseudo-republican of course I must be (says the Judge), as 'every one was in Mr. Jefferson's opinion, who dared to doubt

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'of his infallibility.' Even if this provocation had been avoided, the alienation must have broken out sooner or later. Story found out, as member of Congress, that New England 'was to obey but not to be trusted. This, in my humble 'judgment (he adds), was the steady policy of Mr. Jefferson at all times. We were to be kept divided, and thus used 'to neutralise each other.' But, besides these jarring jealousies, two men of such different views and natures could not long have drawn cordially together. After the veil was raised by the publication of Jefferson's correspondence, Story writes to Mr. Everett (1832): 'Every day I perceive more and more 'the effect of Mr. Jefferson's extraordinary opinions and acts in 'every department of our government. It is time his correspondence was fairly and freely reviewed.' General Jackson, when President, bore difference of opinion and independence of character as impatiently as Jefferson had done: and, speaking of Story, called him 'the most dangerous man in America.' Meanwhile, Story in 1831 was mourning over the change in constitutional practices and doctrines. 'I have for a long time 'known that the present rulers and their friends were hostile to 'the judiciary, and have been expecting some more decisive 'demonstrations than had yet been given out. The recent 'attacks in Georgia and the recent nullification doctrine in 'South Carolina are parts of the same general system, the 'object of which is to elevate an exclusive State Sovereignty 'upon the ruins of the general government.' Three years later he writes in still greater despair from Washington: 'Every 'thing here is as uncertain as it possibly can be except the 'President's will. And I confess that I feel humiliated at the 'truth, which cannot be disguised, that although we live under 'the form of a republic, we are in fact under the absolute rule 'of a single man.... The question who shall be the next 'President, mingles with every measure.' Yet Story's expectations were by this time pitched at so low a level that he would not have been hard to satisfy. Witness his pleasure in 1840 at the success of General Harrison's nomination. 'His talents are 'not of a high order, and at this hour he is filling the office of 'clerk of a County Court in Ohio. What, however, seems to 'give him strength, is that he is poor and honest: or as Mr. 'Abbott Lawrence said the other day to me, "the people believe '"that he won't lie and won't steal." The real truth is, that 'the people are best pleased with a man whose talents do not 'elevate him so much above the mass as to become an object of 'jealousy or envy. The prospect of his being President is 'quite encouraging.'

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Meanwhile Story's sanguine view of the general aspect of American politics had long abated. As far back as 1818, he had written:—

'There is no rallying point for any party. Indeed every thing is scattered. Republicans and Federalists are as much divided among themselves, as the parties were formerly from each other. I do not regret the change. I have been long satisfied that the nation was in danger of being ruined by its intestine divisions; and fortunately among men of real talent, real virtue, and real patriotism, there are now few, if any, differences of opinion. But a new race of men is springing up to govern the nation: they are the hunters after popularity, men ambitious not of the honour so much as of the profits of office,—the demagogues, whose principles hang laxly upon them, and who follow not so much what is right, as what leads to a temporary vulgar applause. . . . I have done with party politics: my heart is sick of the scenes of strife and sometimes of profligacy which it presents. I have no desire ever again to enter the contest for popular favour. Yet, I hope, I love my country and its institutions, and I know that I reverence the principles of liberty and the constitution of the United States.'

By 1835 the prospect had further darkened:—

'Nothing is more extraordinary than the fact that the House of Representatives, so often lauded as the true protector of the rights and interests of the people, is ready, under the strong bonds of party union and executive patronage, to yield up both. The duration of their office is too short to secure independence of action, and the elections are too much under the power of mere demagogues. Hence the gradual change of public men from a lofty firmness to a temporising policy.'

A letter to Mr. Charles Sumner in 1845 is still more desponding:—

'In every way which I look at the future I can see little or no ground of hope for our country. We are rapidly on the decline. Corruption and profligacy, demagoguism and recklessness, characterise the times, and I for one am unable to say where the thing is to end. You, as a young man, should cling to hope: I, as an old man, know that it is all in vain.'

In this same year the change of opinion from those of the 'Old Court,' especially on great constitutional questions, is given as the main reason of his intended resignation.

'New men and new opinions have succeeded. The doctrines of the Constitution, so vital to the country, which in former times received the support of the whole Court, no longer maintain their ascendancy. I am the last member now living of the old Court, and I cannot consent to remain where I can no longer hope to see those doctrines recognised and enforced.'

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As an enlightened friend to republican institutions, Mr. Justice Story was a zealous advocate for every form of educational training, by which he conceived that the condition of the people might be elevated. From their direct tendency to raise mechanics and artisans to the rank of scientific engineers, he set a high value on Mechanics' Institutes; predicting that 'they 'were destined to work more important changes in the struc-'ture of society and the improvement in the arts than any 'single event, since the invention of printing.' But he was even more desirous to qualify his fellow citizens for the discharge of the political franchises which the constitution entrusted to them, than to cultivate their inventive powers as intelligent mechanics. He has expressed as forcibly as Washington himself his sense of the difficulty of complying with the conditions on which alone a Republican form of government can be a blessing to a people, or probably be prolonged. In a lecture read before the American Institute of Instruction, he particularly insists on the science of Government, as being an indispensable branch of popular education in connexion with popular institutions.

'A Republic, by the very constitution of its government, requires on the part of the people more vigilance and constant exertion than all others. The American Republic, above all others, demands from every citizen unceasing vigilance and exertion; since we have deliberately dispensed with every guard against danger or ruin except the intelligence and virtue of the people themselves. It is founded on the basis that the people have wisdom enough to frame their own system of government, and public spirit enough to preserve it; that they cannot be cheated out of their liberties; and that they will not submit to have them taken from them by force. We have silently assumed the fundamental truth that, as it never can be the interest of the majority of the people to prostrate their own political equality and happiness, so they never can be seduced, by flattery or corruption, by the intrigues of faction or the arts of ambition, to adopt any measures which shall subvert them. If this confidence in ourselves be justified (and who among Americans does not feel a just pride in endeavouring to maintain it?) let us never forget that it can be justified only by a watchfulness and zeal proportionate to our confidence. Let us never forget that we must prove ourselves wiser and better and purer than any other nation yet has been, if we are to count upon success.'

It was in this view that he thought so highly of Lieber's 'Poli-'tical Ethics;'* and, besides abridging his own Commentaries for

* He considered De Tocqueville's work on America to have been overrated; and the son complains that no notice is taken in it of his

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the Law School, himself drew up a book called the *Constitutional Class Book*, in which 'the principles of the government of the 'United States are familiarly explained; and which was pub-'lished in the "School Library" and introduced as a text book 'into various schools.'* When may we hope to see any thing of the sort written by a judge for the National Schools of England? The nearest approach to it at present is the 'Political 'Philosophy' of Lord Brougham.

Of the many forms which political controversy may assume in the United States, that of Negro slavery is the most hateful and most exciting. The side taken by Mr. J. Story in behalf of the oppressed races of both the southern and western States, was at once determined by the rectitude of his principles and the humanity of his heart. The wrongs inflicted on the Cherokee nation by the State of Georgia wrung from him the exclamation, 'I never in my whole life was more affected by the considera-'tion, that they and all their race are destined to destruction. 'And I feel, as an American, disgraced by our gross violation 'of the public faith towards them. I fear, and greatly fear, 'that in the course of Providence there will be dealt to us 'a heavy retributive justice.' The 'institution' of the South found as little favour with him. When he learned on his New England Circuits that the Slave Trade was still carried on there, so vehement was his denunciation of it in his charges to the grand juries, that he greatly contributed to put an end to it. He disregarded the threat 'of hurling him from the 'bench,' equally with the obloquy, to which his judicial decisions in cases of slavery exposed him, as either side might happen to be offended by them. Though ever opposed to slavery, he took his stand, *as a judge* on the Constitution; and when his decision in the case of *le jeune Eugenie*, was more liberal than that of the English Courts, he still retained his confidence in his own judgment, observing only on the hardship of having Sir W. Scott and the King's Bench on his back. When at liberty, as a pri-

father's work. 'You know (says the author of the Commentaries in a letter to Lieber) 'ten times as much as he does of the actual work-'ing of the system, and of its true theory.'

* 'School books for children on History might very beneficially begin with a short and plainly written account of our present Constitution, including a concise statement of the nature and administration of the Law. These subjects appear to me quite as important for a poor child to learn, as about the battle of Hastings or the Wars of the Roses. . . . For children as a class-book Chambers' "Political "Economy for use in Schools" may advantageously be adopted.'—*Symons' School Economy.*

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vate citizen, to act on *legislative* considerations, he enlarged his views proportionally. So strong was his feeling on the Missouri compromise, that the only exception which he made, after he was on the Bench, in meddling with anything which could be called politics, was taking part in a meeting to protest against it.* He was further stung by the insolence of Randolph's claim for Virginian supremacy; and he frequently reverts to the question, as he put it to Mr. Ticknor in 1828: 'Depend upon it, what-'ever may be the present cross current of debate, the question 'must come to the sheer point, whether the South shall govern 'the East now and for ever.' In 1833 he writes to Mr. Peters, 'Upon politics I am fixed. The late compromise is a sur-'render of the Constitution to which under no circumstances 'will I be either a party or a quiet looker on.' This evil was consummated in his opinion by President Tyler, in the annexation of Texas and the creation of a new Slave State. While the admission of Texas into the Union was yet pending, he declared that

'It would be a grossly unconstitutional act; and one which he should not be surprised if it should lead to a dissolution of the Union. It will for ever give the South a most mischievous if not a ruinous preponderance in the Union.'

The means are described, in a letter to his son, as being of a piece with the end: —

'Pray do not ask me how all these things are brought about. I should blush to put on paper what my belief is. There are ample means to accomplish any ends in power and patronage, &c. &c. &c., and Lord Coke has told us that &c. &c. are signs full of meaning in the law. I think they have a still more pregnant meaning out of the law. This government is becoming daily more and more corrupt; and the decline and fall of the American Republic will not be less a matter of history in an age or two at farthest than that of other republics whose fate is recorded in past annals. However, the present crisis will soon be forgotten and forgiven by the people; and we shall go on as we may, until by some convulsion we come to a full stop. When that will be I pretend not to prophesy. You may live to witness it.'

His aversion to the compromise was scarcely more decided on the ground of its affirming the perpetuity of slavery, than on the ground of its destroying the proportions upon which the balance

* He did not, however, think it necessary to abstain from voting at elections. Since it was a joke in the family, his voting one way, and his coachman who drove him to the polling booth, voting the other.

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of the South and East had been settled in the Constitution. He was convinced, as fully as Clay or Webster, that their last and only security is in the Union; but in his opinion, the weight given to the disturbing forces by the compromise adds to the difficulty of preserving it.

It is time to pass on to Mr. J. Story's peculiar province — jurisprudence. All the great orators of America, with the exception of Mr. Everett, have been lawyers. The law, as studied there, seems to enlarge the mind as well as sharpen it. But a single session of Congress (1808-9) satisfied Story that it would be more for his happiness and his fame to withdraw from political and party controversy, and apply himself with singleness of heart to the study of the law, 'at all times the object of his 'admiration, and almost exclusive devotion.' He was made a judge in 1812, at the early age of thirty-two; and he died in harness after a service of four and thirty years. We will not here enter on the examination of any of even his most celebrated judgments during this long and eventful period. It will be enough to notice the annual course of those official duties, —duties so unwisely underpaid in America, that Story himself, though most indifferent to money, can only speak of the position as one of splendid poverty. The observation he has made on the extent of knowledge required of a legislator for so many States applies almost as forcibly to a judge of the Supreme Court, sitting the winter months at Washington. In his case, six months of every year were taken up on circuits—his own circuit being the great maritime district of Maine, New Hampshire, Massachusetts, and Rhode Island. Kent might truly say to him, 'You have, 'fortunately for yourself and for your country, the best section in 'the country for the application of your powers, and have much 'more reason than Montesquieu had, to thank Heaven that you 'were born and educated where you are placed.' At that time the Commercial Law and Admiralty Jurisdiction of America were pretty much what they had been in England before the times of Lord Mansfield and Lord Stowell. Story never passes an opportunity of expressing his admiration of those two eminent men; and this not only in public, but also in his private correspondence; as, for instance, in answer to Adams, who had declared that they were no more to be quoted than the Court Calendar. His account of the condition of Equity Jurisprudence throughout America at this period is equally unfavourable. It was created principally by Kent, who was made Chancellor of New York in 1814. So rapid, however, was the subsequent progress of equitable science, that by 1841 a Court of Chancery had sprung up in every county of almost every State, where all

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proceedings originated, and 'an able local bar had been created, 'by whom the business was so well-managed, that small causes 'seldom got into the Appellate Court.' There is ample opportunity of comparison between the different systems in America. Some States altogether exclude Equity as distinct from Law, some confer an equitable jurisdiction on their Courts of Law, others separate Equity and Law into distinct Courts, as in England. Story on the whole leaned to a separation, but the mechanism both of the Courts of Chancery and of a Chancery suit differed so widely in the two countries, that, notwithstanding his respect for Lord Eldon, he assures Mr. Field, 'the English 'system could not have existed in America without calling forth 'legislative interference to prevent delays, to lessen costs, and to 'give simplicity to proceedings.'

Story was fed in youth on the dry dust of what Bentham called *Grim Gribber*. He began life with a profound study of the black letter law of England; and to the last, when gratefully summoning up the list of his instructors, delighted to revert to Tidd. But, fortunately, he had also felt a higher call. Though he pays Kent the compliment of having instructed so many of their contemporaries in the truth, that the gift of uniting a deep respect for precedents with an habitual inquiry into their consonance with principles, is not unattainable, however rare, it is clear he had already found the principles in the wisdom of the Civil Law, and that he had trained his own well-constituted nature after the example of Pothier and Domat. No man can have ever possessed in a higher degree the happy faculty which he attributes to Mr. Justice Washington, of yielding just the proper weight to authority.

Recent as is the greater part of American Law, it has shot up with so vigorous and succulent a growth that it is natural that the profession in the United States should be both surprised and mortified at the little notice which its jurisprudence has attracted in England; 'being passed by with utter neglect, as 'belonging only to a colonial or foreign law. There is however at this very moment (1831) in the States composing the 'Union a population of about thirteen millions, all of which 'claims the Common Law as its birthright, and all of which is 'accustomed to study the Treatises and Reports of English 'Jurisprudence, as a necessary preparation for practice in the 'profession of the law. In several of the States Commercial 'Law may be said to form a principal business of the Courts, 'and to be examined with a diligence and ability equal to its 'vast importance. Not an English decision or treatise is published three months, before it finds its way to our libraries, and

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'is there studied and criticised with profound attention.' It will be a proud distinction to Kent and Story, that they have done more than any other men to put an end to the indifference of English lawyers to the learning of their American brethren.

Story, mentioning the praises given to Kent's Commentaries in some English legal publications, adds, 'this is as it should 'be; for, England is deeply interested in cultivating a thorough 'knowledge of American jurisprudence: and it would betray a 'lamentable want of professional ambition, not to master a work 'which has become our first juridical classic,'—the American Blackstone, or something more. The testimony borne to the services of Story himself is of a more direct and higher order. Mr. Justice Patteson gratefully acknowledges the obligations 'under which he has laid all the members of the profession of the 'law, especially those who have to administer it, by his profound 'and learned treatises;' adding that 'the respect paid to Ame-'rican Reports and Law Treatises is rapidly increasing; and 'tends much to the improvement of our theory and practice.' Mr. Baron Parke's opinion is equally favourable. Mr. Justice Coleridge, after stating, that he had read no modern treatise of our own production with any thing like the pleasure and instruction he had received from Story's 'Conflict of Law,' goes on to say, 'I think you would be pleased with the feeling, which 'exists in our Courts at present in respect to American juris-'prudence. It is one of the highest respect; we do not indeed 'allow your Reports to be cited as authority; but that, I believe, 'is out of consideration to the Bar, who are already overburdened 'with the expensive and troublesome multiplicity of our own 'Reports.' He elsewhere admits, 'a comparison with your 'course is not very flattering to your brethren on the English 'Bench: we are, it is true, very much engrossed by practice 'before we are made Judges, and by our duties afterwards; 'perhaps somewhat more so than is your lot in America. 'Still that will not account for the whole difference between us.' Lord Campbell, informing him that his library was now enriched with the whole of his published works, proceeds to say, 'I survey with increased astonishment your extensive, minute, 'exact, and familiar knowledge of English legal writers in every 'department of the law. A similar testimony to your judicial 'learning, I make no doubt, would be offered by the lawyers of 'France and Germany, as well as of America, and we should all 'concur in placing you at the head of the jurists of the present 'age.' In fact, Savigny and Mittermaier have given in their adhesion in the present volumes under their own hands: And to crown these fervent tributes after the most approved English

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fashion, when the great American jurist proposed to visit London, Lords Brougham and Denman, and the other judges, prepared to celebrate his reception by a public dinner at Serjeants' Inn.

For the last sixteen years of his life, Mr. Justice Story added to his labours as Judge those of a Professor: and it is to this last appointment that we are indebted for his most important works. His earlier publications had been those of an English practising lawyer — such as a supplement to 'Comyn's Digest,' new editions of 'Chitty on Bills,' 'Abbott on Shipping,' 'Lawes on Assumpsit.' But in 1830, soon after his acceptance of the Dane Professorship at Harvard, he expressed his anxiety to set to work with the law students, and prepare some written lectures, 'in the terrible deficiency of good elementary books.' Accordingly his 'Treatise on Bailment' appeared in the following year, as the first fruits of this good intention, and as the first volume * of a series on Commercial Law. Next followed 'Com-

* Mr. Justice Story furnished an admirable article to the 'North 'American Review' on the *Literature of the Maritime Law.* It is contained in a notice of Jacobsen's 'Laws of the Sea with reference to 'Maritime Commerce during Peace and War.' Towards the conclusion of the article he states that the principal value of Mr. Jacobsen's work to an American (and what is true of the American must be true also of the English) lawyer, 'is the minute accuracy and ful- 'ness with which it gives us the positive and customary law of all the 'maritime nations of the Continent. And this, in our judgment, is a 'most interesting, and, in a practical view, a most important accession 'to our judicial literature. Of the maritime law of Russia, Prussia, 'Denmark, Sweden, and Germany, we have hitherto known very 'little. Yet with all of them we carry on an extensive trade; and 'the principles of their jurisprudence as to maritime affairs, both in 'peace and war, are of incalculable importance to our merchants, nay 'more, to our government. This is not all. A great variety of 'curious and difficult questions are perpetually arising in our judicial 'tribunals, where the positive regulations or usages of other con- 'tinental nations would greatly assist us in forming decisions, which 'should comport with general convenience, as well as with the 'general principles of Law. Many are the cases in which the foreign 'usage ought to incline the scale. We owe indeed a full moiety of 'our present commercial law to the positive ordinances or usages 'of France, Italy, and Spain, as they have been delivered to us by 'their eminent jurists. They seem now inclined to borrow from us 'in return; and thus perhaps national comity may gradually establish 'a nearly uniform system of commercial jurisprudence throughout 'the whole civilised world.' Mr. Justice Story was a great commercial lawyer; there has been no greater. After the above passage, we may conceive the satisfaction with which he would have welcomed the great work of Mr. Levi, and the project of an International Commercial Code.

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'mentaries on the Constitution of the United States.' It was announced by him, as another portion of the labours devolving on him in execution of the duties of his professorship; and it immediately placed his authority as a constitutional lawyer on a level with that of C. J. Marshall himself. 'Whoever,' says Mr. Bancroft, 'would understand our form of government, must 'study the Commentaries of Story.' His greatest work (at least he himself thought it so) was his next payment in discharge of his duties to his Law School. It was published in 1834. Appropriately eulogised by C. J. Tindal and the Jurisconsults of France and Germany, it met with its most eloquent admirer in Mr. Webster: —

'It is a great truth that England has never produced any eminent writer on national or general public law, no elementary writer, who made the subject his own, who has breathed his own breath into it, and made it live. In English judicature, Sir W. Scott, it is true, has done much to enlighten the public mind on the subject of prize causes, and in our day Mackintosh has written a paper of some merit. But where is your English Grotius? Where is your English Barbeyrac? Has England produced one? Not one! The English mind has never been turned to the discussion of general public law. We must go to the Continent for the display of genius in this department of human knowledge. What have the Courts of Westminster Hall done to illustrate the principles of public law? With the exception of a tract by Mansfield of considerable merit, more great principles of public law have been discussed and settled by this court within the last twenty years, than in all the Common Law Courts of England within the last hundred years. Nay, more important subjects of law have been examined and passed upon by this bench in a series of twenty years than in all Europe for a century past, and I cannot forbear to add, that one in the midst of you has favoured the world with a treatise on public law, fit to stand by the side of Grotius, to be the companion of the "Institutes,"—a work that is now regarded by the judicature of the world as the great book of the age,—"Story's Con-"flict of Laws."'

Another year had scarcely passed, and then came out his 'Treatise on Equity Jurisprudence.' It was not only received in America as calculated 'to teach its transatlantic teachers,' but Lord Campbell took it with him to Dublin in that character, and has recognised how, on a particular point peculiarly English, he found more information in it than in any English publication. Its philosophical merits at once carried its fame over the Continent, where Mittermaier has borne witness that its extensive views must make it interesting to the jurists of all nations. By this time, now aged fifty-six, he says, he had published seven volumes; and in five or six more could accomplish all he pro-

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posed. But of these, all he lived to complete was a Treatise on Agency, and another on Partnership. The miracle is, how he performed so much, considering the demand made on his time over and above his judicial duties by superintendence of his Law School, by two hours lectures daily there, and by presiding over its extra moot courts.

The grades of the profession in America are not distinguished by the formal etiquette of England.* 'Every solicitor is a 'councillor, and every councillor acts at times as a solicitor. 'We find no inconvenience from this course,' says Story. So at the other end of the profession, the Judges do not think it beneath their judicial dignity to take part as teachers of incepting students. In the eulogy on Professor Ashmun, it is mentioned incidentally that he had been associated early with Judge Howe, who had established a Law School at Northampton of very high character. When Kent ceased to be Chancellor of New York, in consequence of the absurd enactment, by which any person above sixty years of age is disabled from holding a judicial office, he only added to his honours by those lectures at Columbia College, of which the world has since the benefit as represented in his Commentaries. Story's case is still stronger. America and the whole civilised world are the wiser and the better for the absence of prejudice, by which he was allowed to unite with his office of Judge of the Supreme Court that of Professor of Law at Harvard College.

We have reserved for the last an account of his Law School. It may instruct and animate the new establishments now forming (better late than never) in the English Inns of Court. In the year 1828, he had declined the Royal Professorship of Law at Cambridge, U. S., on the ground that it would oblige him to devote all his leisure time to drilling and lectures, and judicial conversations. 'The school,' he answered, 'cannot flourish except by such constant efforts; and I should not willingly see it 'wither under my hands. The delivery of public lectures alone 'might not be oppressive; but success in a law school must be 'obtained by private lectures.' These objections, however, were fated to give way at no greater distance of time than the

* The preface or dedication of a recent work, 'The Advocate,' by Mr. Cox, is a protest addressed to Lord Denman against the breach threatened to be made in the etiquettes and centralisation of the profession of the Law in England, by the successful opening of County Courts. American experience appears to be as much lost on our legal alarmists as on some of our public offices. Yet in his chapter on *Professional Studies* Mr. Cox assigns their rightful place to the writings of Mr. Justice Story.

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following year, in consequence of Mr. Dane subjecting his new foundation to the one condition of Mr. J. Story being the first Professor. The condition was eminently wise and fortunate; as much so as if Mr. Viner had stipulated with Oxford for the nomination of Blackstone on his endowment. The annual number of law students had previously averaged eight, and the year before it had been reduced to one. His reputation raised the number the first year to thirty — than which, he says, in 1831, that he 'never calculated upon more.' But in 1838, he could say, 'we had sixty good fellows last term.' They had grown, in 1842, to one hundred and twenty; in 1844, to one hundred and fifty-six. By 1845, he numbers the students whom the school, during the previous sixteen years, had turned out into the world, over every part of the Union, at upwards of eleven hundred. What a blessing to the profession and to his country such a leading mind!

This success was not owing more to his prodigious industry and accomplishments than to the charm of his character. He was a great master in the art of communicating knowledge, and of winning affection and respect. While Mr. Greenleaf testifies that he never forgot his position as a Judge, his cheerful influence over 'the boys,' as he called them, was boundless. 'I have 'given,' he writes to Mr. Sumner, in 1838, 'nearly the whole 'of last term, when not on judicial duty, two lectures every 'day: and we broke in on the sanctity of the *dies non juridicus*, 'Saturday. It was carried by acclamation in the school; so 'you see we are alive. They begin already to be wide awake 'to the dignity of the law, and its morals.' Mr. Dane, the popular author of 'Two Years before the Mast,' was one of his pupils. They afterwards honourably co-operated in redressing the wrongs of American seamen. From his picture of the school, in a beautiful letter of reminiscences, drawn up in 1851, (vol. ii. p. 317.), Mr. Dane is justified in his conviction 'that 'such a peculiar combination of qualities to constitute a teacher 'of the science of Law to young men, is not likely to be found 'again for many generations.'

He conducted his lectures as conversational exercises on different text books: and held moot courts two or three times a-week for arguing fictitious cases. He was what Roger North would have described as an excellent 'put-case:' and, on his return from Washington, always brought home a sheaf of them, 'which he had prepared during the sitting of the Court, and 'which, at the time of his death, amounted to several hundred.' These were argued by the students, senior and junior counsel, according to their standing. The jury trials, which were held

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twice a-year in their crowded library, became a college festival: Mr. J. Story took great delight in them, and delivered elaborate judgments; and the students on their part prepared their cases with so much care, that 'he used to say of their arguments, 'that they were quite as good as, and sometimes better than, 'those of the counsel engaged in the real cases.' We may cease to wonder that, after such scenes, every other subject became secondary with him to the Law School. When, at sixty-five, he contemplated resigning his judgeship, 'to quit the Law 'School (his son tells us) was out of the question. This insti-'tution he had built up, and it was the delight of his life. His 'duties there were pleasures, which afforded him an agreeable 'and honourable occupation. To gather around him a circle of 'young men, into whose minds he might instil sound doctrines 'of Law and Equity, and whom he might dismiss into the 'world with high principles and pure motives; to employ his 'leisure in giving a permanent written form to the learning 'with which he had stored his mind, and thus to smooth the 'path of the student, and to recommend and establish the Law, 'was a prospect which was constantly before him, to charm his 'imagination.' The legal perpetuity he desired, in praying that his name might be associated with his favourite Law School, will assuredly be granted him.

The object which Story kept most immediately in view in all his teaching, whether oral or written, was to reconcile the continental style of treating judicial subjects with the English method, — to join the scientific arrangement of principles as developed by the civilians with the chain of precedents and practical illustrations exemplified in English text-books. In one of his earlier prefaces, a union of the two plans, it is affirmed, 'would be a great improvement in our law treatises; and 'would afford no inconsiderable assistance to students in master-'ing the higher branches of their profession.' It was under these hopes that he took so seriously to heart the death of Mr. Legarè, Attorney-General for the United States, as a national misfortune. 'I had indeed looked to him with great fondness 'of expectation; I had looked to see him accomplish what he 'was so well fitted to do,—what I know was the darling object 'of his pure ambition *,—to engraft the Civil Law upon the juris-

* Kent and Story concurred on the necessity of attaching a complete civilian library to the National Library at Washington. One, which had been carefully made on the Continent of Europe, has been appropriately presented to Harvard College. Kent says, that its collector could not see a copy of the most important of these works in any of the public libraries of London, while nearly all of them were to be found in the Advocates' Library at Edinburgh.

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'prudence of this country, and thereby to expand the Common 'Law to greater usefulness and a wider adaptation to the pro-'gress of society.' In this view he had been just encouraging his friend to translate Heineccius's Elements with notes so as to adapt its principles to the existing state of the Common Law. His answer to Mr. Kennedy's inquiries on behalf of the Dublin Law Institute is in accordance with these opinions, and contains a full and final statement of his experience on the best method of teaching law.

'I have been long persuaded that a more scientific system of legal education than that which has hitherto been pursued is demanded by the wants of the age and the progress of jurisprudence. The old mode of solitary unassisted studies in the Inns of Court, or in the dry and uninviting drudgery of an office, is utterly inadequate to lay a just foundation for accurate knowledge in the learning of the law. It is for the most part a waste of time and effort, discouraging and repulsive. It was, however, the system in which I was myself bred, and so thoroughly convinced was I of its worthlessness, that I then resolved, if I ever had students, I would pursue an opposite course. It was my earnest desire to assist in the establishment of another system, which induced me to accept my present professorship in Harvard University, thereby burdening myself with duties and labours which otherwise I would gladly have declined.

'The system pursued by my learned brother Mr. Professor Greenleaf and myself, in our juridical instructions, has had the most entire success. The Law Institution here has flourished far more than I ever dreamed it could in a country like America, where the administration of law is not, as with you, concentrated in Dublin, or in Westminster or Edinburgh, but spreads over the whole territory. Our system of instruction is not founded upon written lectures (which, I am persuaded, is a very inadequate mode,) but upon oral lectures connected with the daily studies of the students in the various works which they study, and in the lecture-room where they are all assembled in classes, and where they undergo a daily examination; and every lecture grows out of the very pages of the volume which they are reading. In this way difficulties are cleared away, additional illustrations suggested, new questions propounded, and doubts raised, and occasionally authorities criticised, so that the instructor and the pupil move along *pari passu*, and the pupil is invited to state his doubts, and learns how to master his studies.'

With what interest would the writer of this letter have read the following passage in the late Report of the Council of the Society for the Amendment of the Law, and have watched the progress of the experiment proposed by our Inns of Court: —

'Little real progress has yet been made towards the establish-'ment of a good law school, with effective examinations; the 'late recommendations of the inns of court your Council cannot

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'but consider as insufficient; but we trust that both the profession and the public at large are becoming more and more alive to the necessity for such a provision, and that the heads of the inns of court are becoming more aware of the serious responsibility which rests upon them in this respect. We are glad to find the subject of legal education mentioned in the report of the commissioners appointed to inquire into the state of the revenues of the University of Oxford, and are gratified at seeing the opinion of this Society adduced in support of a proposal by the commissioners to apply a portion of the funds of the university to imparting a knowledge of the laws of the country. We hope to see the same recommendation in the report on the University of Cambridge, and that in the course of a few years there will be at each of these seats of learning an efficient law school.

'Still more do your Council hope and believe, that from the present inns of court will at length arise a complete and satisfactory law university, endowed with the funds originally vested in those societies for legal education, and which cannot be better devoted than to the purpose of teaching the law. Nor can your Council entertain a doubt that if the benchers do not so apply these funds, their proper application will be enforced by the Legislature. Thus the law student would have an opportunity of commencing and afterwards continuing his studies under able professors, both in the Universities and in London, with all the advantages that the wealth of those bodies and of the inns of court could command. While on this subject we would throw out the suggestion, that interesting and instructive popular lectures on the laws of the country might be given at Mechanics' Institutions and other similar places. The publicity of our courts of justice, the presence of a jury of fellow-countrymen, and the practice of oral examination, render our trials matters of universal interest, and several branches of the law, by means of such lectures, might be brought to the knowledge of the community which is bound to obey them.'

The excuse made for the incuriousness of practitioners in our courts of justice concerning Continental and American jurisprudence, by reason of the superabundance of our own, has no application here. It will not avail to cover our neglect of the successful example set by Mr. Justice Story as Professor, and by Harvard University as a school of law. Lord Coke loved to hear the Inns of Court called a third university. It is time they did something to deserve that name. What a change in the learning of two great professions, were Oxford and Cam-

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bridge really to take to teaching divinity to our future clergy, and the Temple and Lincoln's Inn to fulfilling the trust of watching with proper academical interest, over the instruction and progress of their respective students!

ART. III. — 1. *Kœmpfer's Histoire de l'Empire du Japon.* French Translation. By SCHEUZER. The Hague: 1729.

2. *Golownin. Memoirs of Captivity in Japan.* 3 vols. London: 1824.

3. *Nippon; Archiv zur Beschreibung von Japan.* Dr. Von SIEBOLD.

4. *Raffles' History of Java.*

5. *Charlevoix. Histoire du Japon.*

6. *Ashby's Collection of Voyages and Travels:* —

   1. *The Voyage of Captain John Saris.*
   2. *Tracts by Mr. Richard Cocks, Cape Merchant, of what passed at Firando during the General's absence.*
   3. *The Voyage of William Adams, Pilot, to Japan.* Written by Himself.

FOR upwards of two centuries the internal constitution and social arrangements of the Japanese have been concealed under a well nigh impenetrable veil by the jealous policy of their rulers, and the ready obedience of the people. It is true that we have been able from time to time to obtain a glimpse of what was passing within the Forbidden Land. Students who have felt any especial interest in the subject may have endeavoured from a series of disjointed fragments to construct a whole for their own individual contemplation and satisfaction; but yet Japan remains to us a vague and shadowy idea.

The moment has at length arrived when we may look forward to a better knowledge of these secluded islands, and of their inhabitants. There was a time when the Japanese were as anxious to extend as they have since been to narrow their intercourse with their fellow creatures. The written traditions of the nation still bear witness to the fact that before the policy of the Government had carefully debarred the Japanese from all connexion with other countries, they carried on a successful and important commerce with traders from thirty or forty different nations. Nor did this commerce decline from any cause fairly referable to the political or social condition of the islands, or to any falling off in their own powers of consumption, or in

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their staples of return. We know why the magnificent regions at the eastern extremity of the Mediterranean sea — we know why Spain, why the Hanseatic towns, have, by comparison with their former greatness, dwindled down into insignificance. Their decline is to be attributed to the great discoveries in navigation, to erroneous maxims of general policy, to an unavoidable shifting of the great centres of commercial activity. But with the Japanese there had been no falling off, either in the desire for commerce, or in the supplies necessary to feed commerce, or in the opportunities for commerce. On the contrary, a spirit of mercantile adventure was beginning to pervade the nation; the Japanese had been taught to appreciate the products and capacity of their own soil; they had already secured the custom of the Asiatic world, and the merchants of Europe were knocking importunately at their gates, when in a moment, by a thunder-clap as it were, all the subjects of the great empire of Japan were hurled back upon the interior of their own country, and all strangers were driven away from their shores. It was not that the inhabitants of other countries were to be to them henceforward as publicans and sinners, but their very existence was to be ignored. Such distinctions have obtained as Jew and Gentile, Greek and Stranger, Chinese and Outer Barbarian — and the contrast has carried with it more or less of inconvenience to the weaker party — but, from the time of the great Interdict, Japan was to be the exclusive possession of the Japanese. Human beings might be born or might die beyond its precincts — they might pray, trade, fight with each other, as they liked — but with them the Japanese had no concern. The only notice taken of non-Japanese who might be driven by stress of weather on their inhospitable coasts would be to give them notice to depart; and, if the notice were neglected, to put them to death. It was death to a Japanese to have intercourse with them; death to a Japanese who might be detected in the attempt to depart from his native land; death to a Japanese who might have been driven by an angry sea from his own shores, and have sought refuge among strangers, if he ever ventured to return. This Interdict against humanity was launched upwards of two centuries back, and, with the slight exceptions we shall presently have occasion to name, it has been steadily and successfully maintained.

The governments of the world have for so long a time respected a mystery which they had at any moment a right to dispel. The reason of this forbearance must be attributed rather to any cause than an acquiescence in the churlish system. The situation of the Japanese islands removed them from the sym-

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pathies and the schemes of most European nations. Five only among these, Spain, Portugal, Holland, Russia, Great Britain, were likely to bestir themselves in the matter. The political and commercial importance of the two first-named countries had so far declined as to preclude anxiety for distant enterprise. Russia was too busy with her projects of European aggrandisement to direct her attention with much effect to her distant province of Kamschatka and the adjacent seas. An embassy was sent to Nangasaki under Count Resanoff — the northern Kurile islands were successively seized — but there the matter dropped. No notice was taken by the merchants or rulers of Great Britain of the sullen seclusion of the Japanese for a century after the attempt at a renewal of intercourse had failed in the days of Charles II. In the year 1792 a Select Committee of the East India Company took into consideration the export trade of Great Britain to the East Indies, and concluded their Report by observing, 'that the trade with Japan 'never could become an object of attention for the manufac-'tures and commerce of Great Britain.' The reason assigned was that we must take our returns in copper, an article which is the produce of Great Britain, and must be disposed of in India to the prejudice of our own mines. So great and so singular were the apathy and the error of our English merchants trading to the East. It was not probable that the Dutch would make any efforts to unloose the spell. On the contrary, since for two centuries they have enjoyed a miserable monopoly of commercial intercourse with the Japanese, they have directed their most strenuous efforts, as might have been expected, to the maintenance of that system of exclusion which banished all their rivals from the markets of Japan.

It is impossible to believe that the system could have been maintained many years longer, even had not the Government of Washington determined to despatch a powerful expedition, under the command of Commodore Perry, to demand satisfaction of the authorities at Jedo for various acts of outrage and inhumanity perpetrated by the Japanese on the crews of United States' ships engaged in the whale fishery. The sailing of that expedition has been for a short time deferred in consequence of the recent singular misunderstanding between the cabinets of Washington and St. James, but whether that particular armament is deferred, or even abandoned, matters but little. Now the question has once been mooted, the blow is not the less certainly about to fall upon the Japanese Council of State. The moment then appears to us an opportune one for directing the attention of the reader to a subject which has lain some-

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what remote from the studies of most Englishmen. However, whether we will or no, we can no longer affect to treat with apathy or indifference the existence of a powerful and intelligent nation which has remained a mystery for two centuries, but which is about at length to be brought into communication with the Western World. Others will be eager to take advantage of the opportunity, if we neglect it. It can only be necessary to point to those sources from which fuller information may be derived, to rouse the attention of every intelligent man to the present condition of the empire of Japan.

We propose in a very few pages to indicate what is known of a government under which thirty or forty millions of human beings are at this moment living, secluded from all intercourse with the external world—what are their forms of religion, what the character of their laws, what the genius of the people. They are Asiatics, it is true, and therefore deficient in that principle of development which is the leading characteristic of those ingenious and persevering European races which have impressed the traces of their footsteps on the fervid deserts of the tropics, and moored their ships to the blue icebergs at either Pole: but amidst Asiatics the Japanese stand supreme. Can the tribes of India, or the teeming swarms of China, for a moment contest the palm with the chivalrous Japanese? We refuse to accept the architectural monuments of India as tests of civilisation. They are proofs of superstition and slavery—nothing more. With regard to China, again, the Japanese have held the inhabitants of the Celestial Empire at arm's length through many a long century, and esteemed them, not without reason, to be an inferior race. They think of them and speak of them as Brian de Bois Guilbert would have thought and spoken of Isaac, the Money-changer, in Scott's romance. We can find no nation or tribe in history with whom we might compare the Japanese but by an effort of misplaced ingenuity. They are warlike and yet averse to conquest; they are as slavishly obedient to authority as a *bourgeois* of Nanking, and yet as turbulent and unmanageable if that authority should overstep the limits which public opinion has affixed to its exercise, as a Flemish burgher of the Middle Ages; they will select a wife from a place which might have astonished a boon companion of the Regent Orleans, but they judge a violation of conjugal faith as severely as a Scotch Puritan, and punish it with the inexorable sternness of a Spanish hidalgo; they are not religious in sentiment, but devout worshippers in practice; they are most cruel in their punishments, but most reluctant to inflict pain; they are gentle and courteous in their social inter-

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course, but more tenacious of a vindictive purpose than a Corsican mountaineer; they are most eager to extend the bounds of their knowledge in the arts and sciences, yet they have shut themselves out from all intercourse with those nations from whom alone they could expect to receive that information which they most desire to obtain.

When we come to ask ourselves what we really do know of Japan, we find that we know both more and less than we had supposed until we sat down to express our information in a precise form. It would be simple enough in a few pages to relate the fantastic legends of their early mythology. All this can be found in the introductory pages to the Japanese Annals, which were brought to Europe by President Titsinghe. We can tell when and how the mystic doctrines of Buddhism, and the calmer ethics of Confucius, passed into the hearts and minds of the Japanese — we can speak of their Kami — the objects of their primitive adoration. We know how the sceptre passed from the hands of the ecclesiastical emperor, the descendant of the Sun Goddess at Meaco, into the firmer grasp of the Ziogoon at Jedo — how in turn the successors of this 'Mayor of the 'Palace' have become mere puppets in the hands of a kind of Venetian oligarchy, which is described as the Council of State — and how, again, the members of this nominally Supreme Council are in their turn kept in the strictest subservience to that hoary custom which alone constitutes the supreme authority in Japan. We know in general outline the system under which the princes, or great feudal magnates of the empire, are held in subjection, and a good deal of the organisation of that general system of espionnage amidst which Fouché would have felt himself at home, and which constitutes one of the distinguishing features of the Japanese Government. It will be our duty presently, for the assistance and, we fear, to the confusion of all pains-taking bookmakers, to indicate those existing sources of information from which all requisite particulars of the ceremonies and social customs of this singular people may be obtained. Birth, marriage, and death are the three most important points in a man's life. In these books we shall find how the red crape shawl is with great state and formality bound beneath the bosom of a Japanese wife whose pregnancy has been declared; how after giving birth to her child bags of rice are placed under her arms that she may be maintained in a sitting posture, and how she is not suffered to close her eyes for nine whole days and nights, lest she should change this constrained attitude; how the children of both sexes and of all ranks are at first educated together in primary schools — some-

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thing on the Prussian system — until the time has arrived when the sons of the nobility and gentry are removed to finishing establishments, in which they are indoctrinated in the mysteries of good-breeding and the science of etiquette, and, above all, in the sublime knowledge of the Hara-kiri, or 'happy despatch.' By this phrase is meant the art of abdomen-ripping, or suicide. The young Japanese noble is carefully instructed as to the occasions on which it is proper that he should put an end to his own existence, whether out of regard to his personal dignity, or to avoid for his descendants the consequences which would ensue from tainted blood — the result of conviction for particular crimes. We may follow then the young Japanese through his morning calls and his making of presents — both matters of the most vital importance — his water parties and his *sakee*-revels, until he decides that his wild oats are sown out, and that it is time to settle down into respectability. We shall find the Japanese Romeo running to the house of his lady love with the bough of a particular shrub. If the young lady dislike the suitor, the branch is suffered to wither and die; if, on the contrary, she smile complacently on his passion, the Juliet of Niphon instantly blackens her teeth, withholding the crowning favour of plucking out her eye-brows until the wedding-day. A time must unhappily come, even in Japan, when the funeral baked meats have to take the place of the gay wedding-banquet. On that sad occasion Romeo's family and friends will array themselves in the deepest white to indicate their grief; all the screens and doors in the house will be turned topsy-turvy, and the clothes of the assistants be worn inside out. The belief which recommends a plate of snakes as a national dish at Jedo in the faith that the wisdom of the serpent may be communicated to its aspiring gastronomists, is akin to the superstition which raises the price of tiger's flesh in the Chinese market: in neither case very encouraging instances of the higher philosophy of diet.

We must not, however, give way to the luxury of describing. Our purpose simply is, by the mention of half-a-dozen of the strangest customs which obtain among this singular people, to indicate that there exist sources of information which would satisfy the curiosity of the future Adams or Potter of the Japanese Empire. Ample descriptions, too, will be found of the five great imperial towns, — Jedo, Meaco, Okosaka, Nangasaki, and Sakai. Naturally the information relative to Nangasaki is more precise, as that town is the solitary point of permanent contact between Japan and so much of the world as is not Japan. It is not a very great stretch of assump-

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tion to presume that the municipal arrangements of other great towns throughout the empire are similar to those which prevail at Nangasaki, and with these — thanks to the prisoners in the Dutch Factory at Dezima — we are so familiar, that any industrious compiler might fairly undertake at the present moment the article 'Nangasaki' for that 'Handbook of 'Japan' which we already see looming in the not far distant future. Then, again, the great perfection to which the roads and highways of the empire have been brought give evidence of constant intercourse between the most distant points of the empire, and, consequently, of a considerable degree of civilisation. But these and other matters of equal interest we are compelled for the moment to pass over with nothing more than this cursory notice.

The population of Japan has been estimated by different writers at sums varying from 15,000,000 to 45,000,000, and even to 50,000,000. Looking only to the broad features of evidence in the case, namely, the extent of territory contained in the four islands of Kiu-Siu, Sikok, Niphon, and Jezo, and to the concurrent testimony of all travellers in Japan, from Kœmpfer down to Siebold, we appear justified in taking the population as equal to that of the British Isles. In this conclusion we are disposed to acquiesce, even more upon the authority of ancient than of modern writers. If Kœmpfer's statements as to the amount of the swarming population be correct, then — as the empire has enjoyed profound peace for two centuries, and as the acquiescence of the inhabitants in their enforced system of isolation may be accepted for proof that population in Japan has not pressed unduly upon the means of subsistence, — there is every reason to suppose that Kœmpfer's millions must have increased during the last four and five generations in a very creditable ratio. Large towns are not wanting. The population of Jedo, the capital, is, they say, not inferior to that of London at the present moment. Captain Golownin, upon hearsay, talks of 8,000,000, but the calculation involves too many and too transparent absurdities to merit serious notice.

We will devote but a few words to the probable origin of this singular people. There are, of course, two ordinary methods of arriving at a conclusion upon such a point as this, namely, by the evidence of form and the evidence of language. A glance at the portraits given in Siebold's great work 'Nippon' will suffice to show that the Japanese belong to the Mongolian or Tartar variety of the human race. The shape of the forehead, the high cheek bones, the obliquely placed eyes, the expression of the lips, offer unmistakeable proof of the fact. Truth, how-

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ever, compels us to add, that Siebold's Japanese Beauty is a far more comely personage in European eyes than any Mongolian belle whose features we have yet seen delineated, at the same time that there is considerable delicacy and dignity about the portrait of the man which is engraved upon the same page. There is no doubt a strong resemblance of form between the Chinese and the Japanese; the difference is of degree, but of a very high degree. When we turn again to the evidence of language, we must frankly confess that we are unable to offer any suggestions of our own upon this point; but we find in the pages of Klaproth an authoritative statement that the languages of China and Japan are essentially different in their radicals and their structure. As is well known, the Chinese language is monosyllabic, that of Japan polysyllabic to excess. The inference, then, to be drawn from these two statements amounts to this, that although the Japanese may belong to the same variety of mankind with the Chinese, yet they are an essentially different people. It is very true that from time to time Chinese colonists have imported the arts and knowledge of China into Japan, but the Japanese incorporated them with their own civilisation, after the same fashion as the Romans did the learning and philosophy of the Greeks. The tribes of Latium were not Hellenes, because Cicero was familiar with the dialectic system of Socrates, and because Jupiter was worshipped in the Roman capital; nor are the Japanese Chinese, although they hold the doctrines of Confucius in extreme respect, and although old Bouddha is worshipped among them with a fervour which would gladden the hearts of the Lamas of Thibet. This last statement does not rest purely on hypothesis; there are yet existing legends which refer to the early introduction among the Japanese of civilisation from China, if, indeed, there were not intrinsic evidence to prove the fact. Certainly there has never been any thing like a successful invasion of Japan from the side of China. Something of the sort was attempted by that dread lord of Coleridge's poem who held summer-state in Xanadu. But Kublaï Khan was a Mongolian, not a Chinese. The invasion was no more a Chinese invasion, than the French invasion of Russia in 1812 was a Saxon or a Neapolitan invasion because Saxon and Neapolitan troops had been pressed under Napoleon's banners. The armament met with the same fate as the Spanish Armada, which caused so much anxiety to the counsellors of Elizabeth: three only of the combatants who set out with such swelling hopes of conquest returned to their Mongolian master to relate the tale of their defeat and his humiliation. In the earlier annals of the

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Japanese we find abundant mention of endless squabbles between the Government of Japan and the Celestials upon the subject of various States of the Corean Peninsula. Just as the smaller States of Greece at the outbreak and during the course of the Peloponnesian War were perpetually oscillating in their dependence between Athens and Lacedæmon, so was it with these petty Corean principalities; hence diplomatic entanglements, and actual collisions without end.

But we are again reminded, that the imperfect statements we may venture to offer upon the past history of Japan itself must be of the briefest kind. We purpose, then, to say a few words upon the singular manner in which this Empire became known to Europeans, and, after pointing out the various works from which all requisite information on the subject of Japan can be obtained, to devote a very few pages to the discussion of the singular constitution under which this Empire is at present governed. This done, we would pass on at once to that point which is of the greatest interest to Europeans at the present moment, namely, the isolation of Japan from the comity of nations. Strange and singular as every thing we have heard about Japan undoubtedly is, nothing is so strange or so singular as the determination of the inhabitants to resist all intercourse with their fellow-creatures, except it be the fact that they have been able to act upon the resolution with effect during upwards of two centuries. It is this consideration which sheds a tinge of romance about the operations of the American Squadron. The attack upon Japan is more than an expedition, it is an adventure. In the midst of the all-absorbing prose of the every-day world we suddenly feel as if we were at once transported to the domain of Ariosto and of Knight-errantry. The founders of the system did ill to enlist against their cause the principle of curiosity, the most constant and powerful impulse of frail humanity. Let the plainest woman in the three kingdoms cover her face with a thick brown veil, and appear to shun observation, and she will soon be followed by an inquisitive crowd. The flavour of forbidden fruit has smacked racily on mortal lips from the days of Eve downwards. Be the impulse right or wrong it exists, and as it will most surely be acted on, it must not be ignored. The affair, however, is one of far too vital importance to be treated in a light or jesting spirit, for we have every reason to suppose, and to fear, that the resistance of the Japanese to the invaders will be of the most determined character. Great bloodshed and great misery will probably precede the 'opening up' of Japan. However necessary and however justifiable such a step may be, we are not of those who

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can contemplate the slaughter of a gallant people, however mistaken their cause, without a pang of regret.

It would be difficult to convey a better idea of the physical conformation of Japan than by describing it as a peninsula of islands. From the Straits of Diemen on the south to the nearest point of Kamschatka, this fantastic peninsula extends. For a considerable portion of the distance, from Cape Lopatka to the Straits of La Perouse the Kurile Islands, indeed, constitute rather stepping-stones to Japan than Japan itself. The territory of the Empire may be said to begin with the great island of southern Jezo; although the island was for a long time reckoned a mere tributary of the Empire, and its government was confided to the Prince of Matsmai. It is to the illustrious navigator La Perouse we owe the knowledge that Kiu Island is separated by an arm of the sea from southern Jezo. In the year 1787, he succeeded in effecting a passage between the two; and the Russian Captain Krusenstern has completed his work. We will venture then to include the island of southern Jezo in the enumeration of the territories of Japan Proper since it has received an imperial governor, although, substantially, the strength of the empire lies in the great island of Niphon, in which the ecclesiastical and civil capitals lie, continued across the Straits of Van-der Capellen by the island of Kin-Sin. In this island is situated Nangasaki, the only port of the empire to which strangers are admitted. This port—the Liverpool of Japan—can dispose of its statistical returns of exports and imports by heading in the bills of lading, and invoices of the return cargoes, for two Dutch trading-ships, and ten Chinese Junks every year. These two islands then, Niphon and Kin-Sin, together with the island of Sikok, which is thrown in to fill up a curve described by the united sea-boards of the two, constitute the only Japan with which European nations, save Russia, are for the moment concerned. It would be mere idleness to detain the reader upon the 3000 or 4000 rocks and islets which Japanese geographers and statisticians include in their maps and returns. Marco Polo has left it on record, that in his day the Chinese navigators talked of 7,440 such dependencies of the great empire of 'Cipango;' but we will confine our attention to four alone. We presume that a Japanese reviewer who was preparing an 'article' upon the three kingdoms for the information of the grave heads at Jedo, or the amusement of the polished circles of Meaco, would scarcely detain his audience upon the islands of Arran, and Colonsay, and Jura, and Mull, or even upon Skye, despite of the interest which

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would naturally attach in the eyes of the Japanese fair to the famous rough terriers which bear its name.

Nippon, Nipon, Zipon, Zipangou, or Cipango—for by all these names the island which is the seat of the Japanese Empire has been known—was in former years the bait which tempted Christopher Columbus to give his sails to the wind in the harbour of Palos. According to his calculation this rich island of 'Cipango,' with all its treasures, lay 750 leagues to the westward of the Canaries. He steered west, missed his object, but stumbled on the New World. It was on the famous 14th of November, 1492, that he landed on what he called 'Cipango, 'which the Indians style Colba (Cuba).' The discovery of the real Cipango was not to take place for another half-century, and even then through accident rather than design. Three Portuguese merchants, being on their way to China, who were driven out of their course by stormy winds, were the first Europeans who ever set foot upon Japanese soil. The names of these three merchants should be preserved from oblivion; Anton Mata, Francesco Zeimata, and Antón Pexata. It is a curious coincidence, if true, that in the very same year a Chinese junk should have visited Japan for the first time. We have as guarantee for the truth of the fact the word of Fernand Mendez Pinto, a writer who enjoyed a somewhat evil reputation until late years; but, as with Abyssinian Bruce, his fame for veracity is on the increase. The Portuguese were well received. From the year 1542, the date of their landing, until 1611, they, together with the Spaniards, carried on a most lucrative, and well-nigh unrestricted commerce with Japan. In 1611, the Dutch succeeded in supplanting their rivals. In the year 1613, privileges, set forth in certain articles to which we shall have occasion to allude, were granted by Ogoshosama, Emperor of Japan, to Captain John Saris on behalf of the 'Honourable and Worship-'ful Adventurers to the East Indies.' These concessions were not violated on the part of the Japanese, but were gradually suffered to fall into desuetude by the English themselves. After many years' cessation of intercourse, and subsequently to the marriage of our Charles II. with the Portuguese Infanta, the English presented themselves to seek a renewal of commerce, but they were balked of their purpose by the Dutch. The Portuguese and Christianity had been expelled definitively from Japan in 1640. The Dutch had merely to represent to the Court at Jedo that the English Monarch had connected himself by marriage with the Portuguese Royal Family, and that the interests of the two nations were identical. For upwards of two centuries Japan has remained a sealed book to European nations,

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but for the information we have derived from persons attached to the Dutch Factory at Dezima. Slight attempts at intrusion have been made by the Russian Government, by Sir Stamford Raffles from Batavia, by isolated Americans and Englishmen, but they have invariably been foiled by the Japanese. Until now the Governments of the world have respected their secret.

We must at this point indicate the sources of information to which the student who desires to acquire ampler information on the subject of Japan than can be jotted down in a few pages should have recourse. Our knowledge of the internal condition of Japan comes to us mainly from the factory physicians who have been connected with the establisment at Dezima. Dr. Kœmpfer is the first of these in order of time. His work, which is contained in two folios, is more formidable from its bulk and shape than from its contents. It is in point of fact light 'gos-' sippy' reading enough; and when due abatement is made for the space occupied by the fantastic maps and engravings, and by matter irrelevant to his Japanese experience, the work need not frighten any but the most timid reader. Dr. Kœmpfer spent two years in Japan; he twice accompanied the Embassies to Jedo in 1690—92. The narrative of this writer is second in fidelity and clearness to no other. For ourselves, we must confess, even after the study of the works we are about to name, a lingering partiality for the quaint folios of old Kœmpfer. The next work of this kind is from the pen of Dr. Thunberg, a Swede, who in the year 1775 was attached to the Factory in the same capacity of physician. He also visited Jedo, and appears to have had a considerable intercourse with the Japanese. There is marvellous correspondence between this writer and his predecessor. Every thing, however, is so immutable in this empire that things remain at the present moment in Japan pretty much as they were in Kœmpfer's time. Indeed, the modern Japanese have expressed their astonishment at the accuracy and extent of information collected two hundred years ago, but which holds good even at the present day. The third and last of these medical writers is Doctor von Siebold. The plates and engravings which accompany his great work 'Nippon' are indeed a splendid addition to our stock of Japanese knowledge. Here we are introduced at once to Japanese ladies and gentlemen, to soldiers, sailors, and artificers in their proper costume. We find representations of their houses, their furniture, their pottery, their saddlery,—in short, all that can be desired in a collection of this kind. Above all, the work contains many excellent sketches of Japanese scenery, which do more to impress the mind with the realities of things in Japan than volumes of letter-press. A

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morning spent over this interesting book is the best substitute for a visit to the Japanese Museum at the Hague. Of Siebold's text we would be glad to speak in terms of equal praise, but in point of fact the matter is so ill-digested, and so destitute of arrangement, that no reader but for a very special purpose would be troubled with the work. In the courses of the years 1839—40, there appeared in the 'Asiatic Journal' a very pleasing compilation from the works of these Factory writers, mainly from Siebold, which contains much matter of interest in a very readable form. We are indebted for this work to the industry of a lady.

These three physicians are not, however, the only persons who have raised their voice from Dezima. Heer Izaak Titsinghe was President or Opperhoofd of the Dutch factory towards the close of the last century. His contributions towards our Japanese knowledge are valuable in this particular, that they consist of annals written by the Japanese themselves. These Fasti come before us in a most uninviting form, however intrinsically valuable they may be, and would infallibly repel the curiosity of any ordinary student. They profess to furnish us with brief memoranda of the succession of the ecclesiastical and civil emperors, and of the most remarkable occurrences in Japan for many centuries past — nothing more. They constitute an index to history rather than history itself — still, taking them for what they are, they will prove an inestimable treasure to any writer who may hereafter venture upon so formidable a task as the history of the Japanese Empire. Then again, we have what the sea has spared of the collections of President Doeff, who remained a longer time at Dezima than any other European had done. During twenty years he accumulated slowly, and with infinite pains, a very valuable collection of Japanese curiosities. This gentleman was the opponent of Sir Stamford Raffles, and contrived to hold Dezima for the Dutch at a time that this factory constituted all that was left of Holland in the world. It is then not a little singular that when he left Dezima for Europe his Japanese collections should have perished at sea, and that Sir Stamford's collections should have met with the same fate, when he set forth on his return home for the last time. We can admire strenuous patriotism even when its operations are directed against the interests of our own country, and shall have occasion again to advert to Heer Doeff's ingenious manœuvres to foil the attempts of the English to open a commercial intercourse with Japan, when Java had capitulated to the British flag. In addition to these there are two other works by persons connected with the Dutch factory; one by President

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Meylan, the other by Warehouse-Master Fischer, in which any student conversant with the Dutch language will find considerable information as to the manners and customs of the Japanese.

From the factory writers we turn with considerable reluctance to the Jesuits. It has been our misfortune, in the course of our Japanese studies, to read many of the reports and books prepared by the zealous fathers of this order for the information of their general at head-quarters. Despite of the eloquence with which many of these are written, and, we are willing to hope, the piety of the writers, we cannot for a moment lose sight of the fact, that in perusing their works we are but assisting at an arch deception. We will admit to the fullest extent the spirit of self-sacrifice and devotion by which S. François Xavier, the apostle of the Japanese, was actuated. But we know that the struggle between the government of Japan and his successors was for temporal dominion. The combat was for life or death on either side, and the Japanese conquered. The Jesuits at the outset were well received. Every facility for converting the people was given to them by the court and princes of Japan. They were even allowed to push their teaching to Meaco, the seat of the ecclesiastical emperor, which is much the same thing as though the Pope had allowed Dr. Cumming to make converts openly at Rome, and to open a chapel in the Corso. The Jesuits presumed on their success, they calculated prematurely on the strength of a position which wanted nothing but time and patience to render it secure. They had procured the favour of so many of the magnates of the empire, that they thought they could with impunity beard the great officers of state. Nay more, their audacity at last reached such a point that when a dispute arose as to the succession to the Ziogoonship, the Jesuits, erroneously as it turned out, threw their weight into the ascending scale. Their support, however, was not of sufficient consequence to turn the fortune of the day. They sided with the losing party, and with the losing party they perished. There was a general massacre of Christians throughout the empire, and mainly in the province of Arrima, the population of which was well-nigh entirely Christian. The crowning feature of the whole tale was the bloody retribution of Sinnabara; on which occasion, to the eternal infamy of the Dutch, be it related, they assisted the heathen Japanese in carrying the place in which the last Christians of Japan had sought refuge. Save for the Dutch artillery, and the European knowledge of war, which they placed at the disposal of the Japanese, the Christians might at least have succeeded in saving their lives.

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But no, the hopes of commercial gain more availed with the Hollanders than the sympathies of a common faith; and we are left to the comfortable conclusion, that Christian hands charged and aimed the guns which swept away the last remains of Christianity from Japan. However, let it not be forgotten by the student that it was state policy, not religious bigotry, which led to the extirpation of Christianity from the empire.

In studying then the works of the Jesuits on Japan, we can never for a moment forget that the writings before us are addressed *ad populum*. Could we obtain sight of those more esoteric despatches which were forwarded *ad clerum*, or in other words, intended only for the archives of the Jesuits' house at Rome, the case might be different. One can understand that a grande dame of Louis XIV.'s day, who had been brought up to think of the Jansenists as we should think of thirsty dogs in August, might have been moved even to edification by these nice little stories of nice little persecutions. They constituted the 'Dombey and Son' and 'Bleak House' of the time, but now o' days they are gone out of fashion with hoop petticoats and furbelows. Even the two quartos of Charlevoix, from which, we deny it not, much useful information may be gleaned, on circumstances which he was not concerned to misrepresent, are crammed full of the same unctuous inanities. A Christian convert is hung head downwards in a gulf, for a fortnight or so, at no greater inconvenience to himself than a slight determination of blood to the head. A stalwart executioner hacks away at the neck of another with one of those Japanese swords, the temper and edge of which are proverbial, and the patient feels nothing but a pleasing cuticular irritation. Charlevoix's ponderous volumes, which were dedicated to Fleury, will be quite sufficient to gratify the most ardent curiosity of those who enjoy this style of literature. On him and Maffei we must, however, at last mainly depend for our knowledge as to the proceedings of the Portuguese in Japan.

We come next to the three volumes of Golownin, which have, very deservedly, obtained a high popularity in Europe. We hold all the statements of the writer as to the internal condition of Japan, to be more than questionable; but at the same time, let justice be done him, he furnishes us with the measures by which we may test the value of the information he professes to impart. The book has been so popular and is so well known that it may be dismissed with a very cursory mention of the adventures of the writer, and the circumstances under which his information was collected. At the beginning of the present century the Russians had possessed themselves of certain of the

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northern Kurile Islands. About the same time they sent Count Resanoff to Nangasaki, to see if it would be possible to open regular diplomatic intercourse with the Court of Jedo. The overtures were rejected with a civil negative. In revenge for this disappointment a Russian naval officer, Chwostoff, was directed to make a foray upon one of the southern Kuriles, at least such is the probability of the story, although the intervention of the Russian government was strongly denied throughout the course of the negotiations for the release of Golownin and his companions. In the year 1811 Captain Golownin in a Russian ship of war, having previously touched at one or more of the southern Kuriles, finally put into the port of Kunaschier to obtain a supply of water and other necessaries. He was imprudent enough to trust himself with some half-a-dozen companions in the hands of the governor of the town. At a given signal the mask of friendship was thrown off and they were attacked. Through opposing numbers they made their way to the sea-shore; but alas! when they arrived there the tide had receded and left their boat high and dry. They submitted without further struggle to an inevitable captivity, and with their hands tightly and painfully bound behind them, from the elbows downwards with small cord, were led away first to Chakodade, and then to Matsmai, until the government of Jedo should decide as to their ultimate destiny. In this captivity they remained two years, and in the course of the time managed on one occasion to break prison and have a run through the island, but were at last recaptured and brought back. Golownin relates, very naturally, what he actually saw and heard, and as contributions to our knowledge of Japanese character the two first volumes are invaluable; for the third, which professes to give an account of the internal condition of Japan, and the distinctive customs of the people, we are of opinion that any day-labourer in the world of books, with the help of the Factory writers, might easily have compiled a more valuable production. The introduction to the third volume contains a *rifaccimento* by the translator from the tracts of William Adams, and Captain Saris, the names of which will be found at the head of the present paper. The appendix on Japan attached to Sir Stamford Raffles' 'History of Java,' is, as might be expected, from the reputation of the author, a careful and well-digested report on the subject of which he professes to treat. It is mainly upon an official report made by the Baron von Imhoff that he relies. The authors we have named will furnish the ordinary reader with abundant materials for the gratification of his curiosity. For the benefit of those who

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may feel disposed to push their researches further, we would add that in the introduction to Kœmpfer will be found a copious list of Japanese, Dutch, and Jesuit authors, whose works united with those of the modern writers just specified would form a very perfect Japanese library.

We pass at once to the form of government which will be found existing in Japan. There is a good deal of popular error on the subject. If we are not mistaken, the answer which would be given by any ordinary student on the subject would be in effect that the supreme power in Japan was divided between two sovereigns, an ecclesiastical and temporal emperor; we should be told that the ecclesiastical emperors were in former times supreme in Japan, but that becoming gradually enervated by the listless indolence of the purple, the temporal sceptre slipped from their feeble fingers into the firmer grasp of their Generals-in-chief, who now exercise substantial dominion in their place. The title of the Ecclesiastical Emperor is 'Mikado,' —he reigns in Meaco—that of the Temporal Emperor, 'Ziogoon,' or 'Kubo,'—the seat of his authority is at Jedo. We are surprised that so well-informed a writer as Sir John Davis should not, in the sketch of Japan which he has affixed to his recent work on China, have thought it worth his while to explain that all real authority has departed from the Ziogoon in turn. What the Ziogoon is to the Mikado, his Council of State is to the Ziogoon. It would, in point of fact, be scarcely too much to assert that the supreme authority in Japan is exercised by the President of the Council, although no doubt he acts in theory in the name of his liege lord. For all substantial purposes the Ziogoon is relegated as a mere cipher to the luxurious seclusion of the palace at Jedo, given up to self-indulgence, to ceremonial, and to ennui.

The account so far as it goes is correct; but it stops short of the truth.

It is impossible to have any clear notion of the anomalous position of the two sovereigns of Japan without clearly understanding the sequence of events which led to the maintenance of the old, and to the establishment of a new dynasty by its side. The result might be stated, analogously, pretty much as follows. Suppose that Napoleon Bonaparte, when First Consul, had thought it a stroke of policy, previous to his seizure of the imperial crown, to recall Louis XVIII. from Hartwell to Versailles. Suppose that he had surrounded him there with all the pomp and state of a court, but carefully debarred him from all interference with the affairs of government, limiting his duties to the single necessity of wearing the crown of Saint Louis for

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a given number of hours every day in the Salle des Maréchaux, with the solemn condition attached that during the time of the ceremonial he should not move his head or turn his eyes one hair's breadth to the right or left, — then Louis XVIII. would have been the Mikado of France, the idol of the Faubourg, the incarnation of legitimacy. He would have given himself up to literature, written longs and shorts, and quoted Horace on every occasion, and so he would have done his duty. All the *litérateurs* of France, from Chateaubriand down to Frederic Soulie, would have been forthcoming at the Court of this Roi Fainéant, or his successors. Meanwhile the Ziogoon of the Luxembourg,—of the Tuileries and the Malmaison,—the son of his own works,—would have carried out his schemes of policy and conquest in his own way, placed the imperial diadem upon his head, and contented himself with honouring the incarnate principle of legitimacy at Versailles with a complimentary deputation once a year at first, and then less frequently for economy's sake. Thus it was supposed that the honour shown to hereditary authority in the person of the Mikado would also be recognised for the benefit of the usurping dynasty which had possessed themselves of all the realities of sovereign power.

Our sketch however of the position of the Mikado would be incomplete did we not refer to his ecclesiastical authority. He is not altogether a fiddling Count René of Provence, he has in him a dash of the Pope, or rather of the Grand Lama. His ecclesiastical power bears however merely upon doctrinal matters. The Ziogoons of Jedo were far too practical statesmen not to have imitated our own Constitutions of Clarendon on the other side of the globe. In all questions turning upon the temporalities, whether of the Sintoists or any other religious sect, the two imperial 'Judges of the Temples' at Jedo — the 'Dsi Sin 'Bugios' are supreme. In order to make clear this peculiar position of the Mikados, we must, in a few brief sentences, indicate their origin. Their sanctity has not come to them by succession to an office, as with the Popes, nor by the transfusion or transmigration into them of a Divine Being, as with the Grand Lamas, but simply because they are descendants of the Sun Goddess, the tutelary deity of Japan.

The history of Japan, like that of most other nations, is divided into three periods. They have their successions of gods, of demigods, and finally of men like the rest of us who crawl about the earth at the present day. The first epoch takes in an indefinitely vast period, during which seven pure spirits successively ruled over the world of Japan. This is the incomprehensible epoch. The three first of these spirits were

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bachelors, the four last were married. The last of the succession was called Isanagi no Mikotto; the name of his wife was Isanami no Mikotto. Their eldest son was called Ten Sio Dai Dsin; and from him all the Japanese, without exception, are supposed to have sprung, as his brothers and sisters left no issue. The present Mikado claims as his right the hereditary throne of Japan, because he can trace his descent, from eldest son to eldest son, to this Ten Sio Dai Dsin, who was the Adam of Japan. So it is asserted, although we see certain hitches in the pedigree, which probably are considered mysteries at Meaco. Tradition is silent as to the names of his wife and the wives of his successors. It would be proper to add, that the succession of demigods is continued through five persons, each of whom reigned any number of years the fantastic imagination of the authors of these wild legends might suggest. In the year B.C. 660 — that is to say, a century or so later than the commencement of the era of the Olympiads and the legendary date assigned to the foundation of Rome — we find ourselves on firmer ground. The historical succession of the Mikados commences with SYN MU, the founder of the empire of Japan.

Not to detain the reader longer than is absolutely necessary upon the dry chronicles of the Japanese, we will at once leap over seventeen centuries. In the reign of Konjei LXXVI., Ecclesiastical Emperor, the whole empire of Japan was given up to the wildest confusion. The great feudatories of the empire were waging against each other a war more dire than anything known to the French chroniclers before the policy of Louis XI. had in some measure emasculated the strength of the nobility of France. The Mikado was feeble in council, and still more unfit for war. In order to restore something like tranquillity to the country, he was obliged to entrust plenary powers to his General-in-chief, JORITOMO. This soldier, when he found himself invested with powers such as Ferdinand conferred upon Wallenstein in a similar hour of distress, acted as the Duke of Friedland would have done had he not been met by counteracting force without and treachery within. He saved the empire; but for himself — not for his master. He sided with that party among the belligerent princes which he deemed the most proper to second his own ambitious views. With their help, he crushed their rivals, and then crushed them in turn. The result was, that Joritomo became the first secular Emperor, or Ziogoon of Japan. This event happened A.D. 1152.

But the old Ecclesiastical Emperors did not the less hold empty state at Meaco, because Joritomo and his successors reigned in Jedo. Nay, their authority was not so completely

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shorn of splendour as happened about four centuries afterwards, in the year 1585, in the days of Ookimatz CVII., Mikado. At this time there was a certain FIDE JOSI, the son of a peasant, who in early life had served in the humble capacity of porter in the family of a Japanese noble. By valour and by policy he raised himself to the highest distinction. Ookimatz, unwarned by the experience of his predecessor, confirmed him unhesitatingly in the post of Lieutenant-General of the Armies of the Empire. He acted as Joritomo had acted on the like occasion, and repaid the confidence by reducing under his own authority the few provinces which had yet held fast in their allegiance to the Mikado. As Joritomo was the first Ziogoon, so Fide Josi, or TAIKO-SAMA, as he was afterwards called, was first Ziogoon of the *whole* of Japan. He stands twenty-ninth on the list. But neither his policy nor his valour could avail to maintain his succession beyond the grave.

The aged warrior left behind him a son of tender years. To ensure his succession to the Crown, Taiko-Sama had caused his son to be married to the young daughter of Jejos-Sama, his prime favourite and chief councillor. But when death had once removed the powerful Monarch from the scene, all was forgotten in the presence of the great temptation. The minister dethroned the son of his benefactor — the husband of his own daughter — and reigned in his stead, under the name of GON-GEN-SAMA. He is the lineal ancestor of the reigning Ziogoon of Japan. The usurpation took place at the beginning of the seventeenth century.

From this time the power of the Mikado has been but as the shadow of a shadow. His existence is a recognition of the principle of legitimacy amongst a people who are the willing slaves of custom and tradition. He is treated with almost divine honours, which amount, in fact, to a most painful and tedious punishment. He may not touch the earth with his foot, but is carried about from place to place on his attendants' shoulders. So sacred is his person, that it may not be exposed even to the cheering rays of the sun. His hair is sacred, his beard is sacred, his nails are sacred — it would be a profanation to admit the services of a hair-cutter or barber. But pious souls in Japan have discovered a way to free the object of their adoration from his holy superfluities. When he is asleep some one or other of his attendants commits a theft upon his sacred person, pares his nails, and reduces his hair and beard to comfortable proportions. He may not eat twice off the same plate, nor must any profane person use it after him; he may not wear the same clothes twice, nor may any attendant appropriate

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them as perquisites. The plate must be broken and the dress destroyed. A convict in Norfolk Island is probably dissatisfied with his condition: let him think of the Mikado of Japan and the Grand Lama of Thibet, and be thankful.

It was, however, improbable that the despotism of the Ziogoon should not have contained within itself the seeds of its own destruction from the moment it had become fairly established, and had conquered all opposition. The Court of the Mikado had ceased to count as a political power — nothing remained but the scattered antagonism of the princes or great feudatories of the empire. Every precaution has been taken to prevent them from forming such combinations as might become formidable to the central authority at Jedo. They are compelled to reside in the capital, under the eye of the Ministers of State, and only permitted to visit their estates at rare intervals. Even during their absence their wives and families are retained as hostages. In the case of the Governors, who are entrusted with great commands, it is usual to appoint two — and occasionally, if our recollection serves us, even more — to hold the same office; one is required to reside at Jedo, whilst the other discharges the duties of the office upon the spot. Every year the order is reversed — the absentee takes the place of the resident, and is again brought within the watchful supervision of the Council of State at Jedo. It would *à priori* seem probable that the effective working out of such a system as this must be entrusted to the watchfulness of Ministers of State, who, if allowed to hold their offices for any length of time, would become the Richelieus or Mazarins of their helpless sovereign. Such, in fact, has been the case. The once all-powerful Ziogoon has dwindled down into the creature of his own councillors — nothing remains to him of authority but the name. He is the victim of a code of ceremonies somewhat less tiresome than those which affect his brother monarch of Meaco. Like him, he must submit to his lot, and remain the butt and object of never-ceasing compliments and prostrations to his life's end.

There is one extraordinary constitutional custom in Japan which we cannot pass over without a cursory notice. The Ziogoon has the right of interposing with 'le Roi s'avisera!' when the Council of State present any resolution for his assent which may be displeasing to him. His veto, however, is not conclusive. If the council persist in their resolution, and the Ziogoon in his negative, the matter is referred for arbitration to persons named according to custom, and who invariably comprise certain near relatives of the Ziogoon. The consequence of their decision is fatal to one or other of the contending parties.

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If they arbitrate in favour of the Council, the Monarch must abdicate in favour of his next heir; if in favour of the Ziogoon, the President of the Council is bound upon the instant to rip up his abdomen; and his fellow councillors can do little better than follow his example. No retractation is allowed on either side. This strange custom is, according to our phraseology, somewhat in the nature of a 'Conference between the Houses.' We mention the custom, however, not only on account of its singularity, but as a proof of the weight accorded to the deliberations of the Council of State according to the present constitutional theory of Japan.

The universal system of espionnage is another point which well deserves notice. Spies in Japan are not what spies are in other countries. The Government compels the nobles of the land to undertake the task, — if, indeed, compulsion is necessary when it is known to be a valid title in the eyes of the Council that a spy should have successfully denounced an absent governor or *employé*, and have petitioned to succeed him in his office. Every man is a spy upon his neighbour, and the odious service would appear to carry with it no social degradation or contempt. We will not dwell longer upon this topic; but, as the best illustration of the nature of Japanese espionnage, simply transcribe the following passage from President Meylan's work, which is quoted in the very interesting papers in the 'Asiatic Journal' to which we have before alluded: — 'Complaints of the 'Governor of Matsmai had reached the Court, which took its 'own measures for ascertaining the truth. The agreeable 'tidings that the Governor was displaced were speedily received, 'but it was not without astonishment that the capital, Matsmai, 'recognised in his successor a journeyman tobacco-cutter, who, 'some months before, had disappeared from his master's shop. 'The journeyman tobacco-cutter had been personated by a 'noble of the land, who had assumed that disguise in order to 'exercise the office of a spy, for which he had been sent to 'Matsmai by the Court.' Only conceive a state of things amongst ourselves in which Lord Ellenborough should take a small cigar shop in Dame Street, Dublin, in order to gather matter of accusation against Lord Eglintoun. We must suppose further that Lord Derby, when the point was made out to his satisfaction, should appoint Lord Ellenborough to the Lieutenancy of Ireland, vacant by the suicide of Lord Eglintoun, who could not, according to the doctrines of the 'happy 'despatch,' avoid the painful necessity of slitting up his own abdomen in the presence of Lady Eglintoun, his family, and his attendants. That would be a sample of life in Japan.

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With regard to the great feudal nobles of Japan it is furthermore proper to add, that the jealous policy of the Council of State has missed no opportunity of weakening their strength by continuous subdivisions of the most important fiefs. Besides, no device is left untried to keep them in poverty, as poverty is the best guarantee for their subjection. They are required not only to raise and maintain troops for the defence of their own territories, in a manner somewhat akin to our old military arrangements, but also to provide a quantity of troops specifically for Imperial service. They are moreover compelled to maintain a state and display which must materially interfere with the balance at their bankers. If their fortune should survive all these attacks, the Ziogoon would simply invite himself to dine with them in his own palace at Jedo. The payment of the expenses incurred for this entertainment will speedily remove all causes of apprehension.

Brief as this sketch necessarily is, we cannot omit all mention of the various forms of religion which prevail in Japan. The doctrine professed by the Established Church is Sintoism. As it is described by Kœmpfer, the professors of this creed do not trouble themselves much as to their ultimate destiny beyond the grave. They have obscure notions of the immortality of the soul, and even of a future state of misery and bliss. They do, indeed, admit the existence of a Supreme Deity, who inhabits the highest heavens, and of deities somewhat inferior in dignity, whose seats are in the starry firmament. But to these sublimer powers they address no prayers. Their happiness is too transcendent to be ruffled by the sound of mortal supplication. The Japanese are men of practical piety, and will offer their petitions only to those lesser powers from whose influence they have something to hope or something to dread. To those, —

> 'The elves of hills, brooks, standing lakes, and groves,
> And those that on the sand with printless foot
> Do chase the ebbing Neptune, and do fly him
> When he comes back,'—

they willingly raise the voice of supplication or thanksgiving. But these beings of supernatural essence are not the only objects of the adoration of the Sintoist. The Deified Heroes of his own country are the chief objects of his devotion. They have been beatified in swarms which would try the imagination of a Greek of days gone by, or of a devout Roman Catholic of the present time. Such distinguished persons are called Kami, and it is for these that the orthodox Sintoist reserves his chief homages for eleven months of the year. During the twelfth he is silent, as all the Kami are supposed to be on a visit to the

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Daïri, or Court of the Mikado. They are habitually worshipped in Mias, or Temples: in the Japanese language, we are told, this word 'Mia' signifies the dwelling of a living soul. It would require more space than we can well afford to dwell upon their ceremonial worship. One custom alone would appear to deserve notice. When the Sintoist presents himself in his place of worship, he kneels down and offers up his prayers and supplications before a mirror. As plainly as he discerns his own features in that mirror, so plainly do the beings to whom his prayers are addressed discern and comprehend the spiritual and temporal wants of their votary. There is something striking in the custom, although it might lead to abuse if introduced among devout ladies of fashion at the present day. It was not until after the Christian Era that Buddhism penetrated into Japan, nor until A.D. 543 that it made any considerable progress. Before that time the Japanese had been divided between their ancient idols and the philosophic opinions of Confucius, but the doctrines of Bouddha contained a positive promise of eternal bliss, which it was not in the nature of the human mind to reject. It is not within the scope of these observations to dwell longer on this interesting subject. Suffice it to say that Sintoism has remained the state religion of Japan, to which even those who adhere to the doctrines of Bouddha or the tenets of Confucius must outwardly conform. Christianity had at one time made considerable progress in this empire. One century, however, witnessed its introduction and expulsion. In the year 1542 of our era it came in with the Portuguese, and in the year 1640 with the Portuguese it was expelled from Japan. The last spark of the Christian religion was quenched in the blood of the victims of Sinnabara. Whenever it shall be judged proper to attempt its re-introduction, the Reformed Churches will have a great advantage over the emissaries of the Roman Propaganda. The Japanese hold the name of a Roman Catholic priest in abhorrence, as French children, in the successive periods of European history, used to abhor the names of Talbot, of Marlborough, and of Wellington.

We know not if these few observations will be sufficient to conjure up the image of Japan, as it is, before the mind of the English reader. For the present we are compelled to pass on to that portion of the subject which is of more immediate interest; namely, the records of English intercourse with this singular people,—by whom it was commenced, how it ceased, what attempts have been made from time to time at a renewal of the interrupted friendship, what has been the value of the trade in the hands of the Dutch, and what it may prove in the future,

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if the ports of Japan should be once thrown open to the world. When the English negotiated for the opening of the Chinese ports, and the removal of those oppressive regulations which had stopped all rational intercourse between China and other nations, they acted in the cause of every civilised country,—not of Great Britain alone. Canton was not to remain the only port of communication with the empire. The Hong monopoly was to be abolished. The fiscal regulations upon foreign trade generally were to be revised. The tyrannical jurisdiction claimed by the Chinese over Europeans was to be brought to an end. The degrading tone of superiority assumed by the Chinese over the Western nations in the course of negotiation was to be surrendered. We can reflect with pride on the course taken by our Government on this occasion. Let us hope that the liberality of the English in China may be imitated by the United States' negotiators at Jedo; if, indeed, the honour of breaking down the Brazen Wall with which the Japanese had encircled their empire is reserved for them. They should consider that they are not gone merely to obtain redress for grievances inflicted on their own citizens, nor simply to open Japan to their own commercial operations.

The first English intercourse with Japan took place on the 19th of April 1600. It was on that day that William Adams, pilot, whose name will be found at the beginning of this Paper, arrived on the coasts of the Empire in a Dutch ship, the last of five which had been fitted out by the Dutch East India Company for a mercantile cruise upon a large scale. The little fleet entered the Pacific Ocean by the Straits of Magellan, but on coasting up along the sea-board of Chili and Peru they met with so many and such dire calamities, that at length they could not muster more men than an insufficient complement for a single ship. Under these circumstances they determined to stand over for Japan, to dispose of the woollens, which formed a large part of their cargo, and which, as they supposed, would meet with a rapid sale among the Japanese. That they were disappointed in their expectation appeared by the result, but they had no ground in any other respect to complain of the reception they met with from the inhabitants of this distant land. The Europeans present in Japan did their utmost to persuade the Emperor that William Adams and his companions should be put to death. A Portuguese Jesuit* came on board the ship, and

* Neither Portuguese nor Dutch scrupled at any instrument or means which offered them a prospect of driving us from the East. Sir John Malcolm attributes the failure of the embassy of Sir Thomas

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when he returned to his Japanese friends coolly assured them that Adams and his friend Timothy Shotton were pirates, and ought instantly to be crucified. The result was that Adams was sent for to court.

From the first moment a man turns his attention to Japanese subjects he cannot fail to be struck with what followed, as it is given in the simple narration of the old pilot himself. It must be remembered that the Spanish and Portuguese—and latterly the Dutch—were the only Europeans who had any access to the Japanese. During the half century this intercourse had lasted they had abundant time for setting proper machinery to work in order to gain their ends. Human nature is the same in Japan as elsewhere; bribes, no doubt, and intrigues are not wholly without avail. Well, William Adams, this waif, this mere human *flotsam and jetsam*, was cast upon the Japanese shores, without a patron, without a friend, without an interpreter on whom he could rely. He was examined and re-examined. There was no shift or device the activity of commercial malice could suggest that was not employed by his implacable enemies. These men seemed to have an instinctive idea of the future commercial greatness of England. They dreaded the presence of an Englishman, and resolved that he should never return alive to tell the tale of what he had seen. For weeks and weeks they plied the Japanese Emperor with every suggestion most calculated to extort from his anger or his policy a sentence of death against the helpless stranger. Even the Dutchmen, Adam's own shipmates, joined in the machinations of his enemies, but all in vain; the sentence of the Emperor was, 'As yet these strangers have done no damage to 'me or to my subjects. It were against reason and against 'justice that I should put them to death!' Not only were their lives spared, but Adams rose into high favour with the Emperor, who employed him to build a ship for him, and covered him with honours and wealth. He was willing to grant him any favour but the one the kind-hearted old seaman most desired,—permission to return to Wapping or Deptford. It was in one or other of these dingy swamps that his wife and two children were, or might yet be, living, and all the glories of Jedo grew pale in comparison with the remembered comforts of a racy Thames fog and of his own fire-side. Escape was impos-

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Roe at the court of Ajmeer, in 1614, mainly to the intrigues of the Portuguese missionaries: and on the massacre at Amboyna, by the Dutch, in 1622, the English abandoned the commerce of the Eastern islands.

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sible; it was not until after many attempts that poor Adams succeeded in despatching a letter to Java addressed to 'My un-'known friends and countrymen.' This letter reached Bantam, and 'was read to all the merchants that they might take notice 'of the hopes there were of trade with Japan.'

Amongst others, Captain John Saris was present in Bantam at the time. The account of this officer, as detailed by himself, will be found of the most interesting kind. The title of his narrative is also marked at the commencement of this Paper, together with a notice of the collection of travels in which it is to be found. We may as well say, that Mr. John Cocks, Cape merchant, whose name will be found in conjunction with that of Captain Saris, was his substitute when he was absent from Firando at the Court of the Emperor, as well as later, when he had quitted Japan. But to return: Captain Saris had sailed from England in April 1611, had reached Bantam in October 1612, and with one ship only, the crew of which consisted of twenty-four Englishmen, one Spaniard, one Portuguese, and five Indians, sailed from Java for Japan, which he sighted on the 9th of June, 1613. We are particular in marking the date, as this was the first time an English vessel had ever approached the shores of Japan.

His appearance was a signal for the renewal of the same attempts which had taken place in the case of William Adams. The English were represented in the most gloomy colours to the Japanese, as mere pirates, buccaneers, &c., but all was in vain. Captain — or, as he is styled, 'The General,' — Saris appears to have got on admirably from the first with Old King Foyne, the king of the Island of Firando, who forwarded his message requesting the honour of an interview to the Court of the Emperor. We wish it were possible, within the limits to which we are necessarily confined, to give an idea of Saris's proceedings with the Japanese in his own quaint manner. What the Japanese were in his day they appear to have been since. There was the same genuine anxiety and desire to oblige, tempered with the same abject fear of 'what would be said' at head-quarters. Much the same kind of precaution appears to have been used, and the same spirit displayed, in the time of Captain Saris, as the other day when Sir Edward Belcher visited the port of Nangasaki in the 'Samarang.' All this, however, we are compelled most unwillingly to pass over, in order that we may lay before our readers the copy of a charter, or, rather, permission to trade, which will show on what kind of footing the English trade with Japan once stood, and what it might have become if we had had the wit to profit by the occasion.

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'Privileges granted by Ogoshosama, Emperor of Japan, unto the Right Worshipful Sir Thomas Smith, Knight, Governor, and others the Honourable and Worshipful Adventurers to the East Indies.

'I. Imprimis, We give free license to the subjects of the King of Great Britain, viz. Sir Thomas Smith, Governor, and company of the East Indian merchants and adventurers, for ever safely to come into any of our ports of our empire of Japan, with their shippes and merchandizes, without any hindrance to them or their goods. And to abide, buy, sell, and barter, according to their owne manner, with all nations; to tarry here as long as they think good, and to depart, at their pleasure.

'II. Item, We grant unto them freedom of custom, for all such merchandizes as either now they have brought, or hereafter shall bring into our kingdome, or shall from hence transport to any foreign part. And doe authorize those shippes that hereafter shall arrive, and come from England, to proceed to present sale of their commodities, without further coming or sending up to our court.

'III. Item, If any of their shippes shall happen to lie in danger of shipwrecke, we will our subjects not only to assist them, but that such part of shippes and goods as shall be saved, be returned to their captains, or Cape merchants, or their assignees. And that they shall or may build one house or more for themselves in any part of our empire, where they shall think fittest and at their departure to make sale thereof at their pleasure.

'IV. Item, If any of the English merchants, or other, shall depart this life, within our dominions, the goods of the deceased shall remaine at the disposal of the Cape merchant. And that all offences committed by them shall be punished by the said Cape merchant, according to his discretion: and our laws take no hold of their persons or goods.

'V. Item, We will that ye, our subjects, trading with them for any of their commodities, pay them for the same, according to agreement, without delay, or returne of their wares again unto them.

'VI. Item, For such commodities as they have now brought, or shall hereafter bring, fitting for our service and proper use; we will that no arrest be made thereof, but that the price be made with the Cape merchant, according as they may sell to others, and present payment upon delivery of the goods.

'VII. Item, If in discovery of other countries for trade, and return of their shippes, they shall neede men or victuals, we will that ye our subjects, furnish them for their money, as their needs shall require.

'VIII. Item, And that without other passeport, they shall and may set out upon the discovery of Yeadzo, or any other part in or about our empire.

'From our castle in Surunga, the first day of ninth month, and in the eighteenth year of our Dary, according to our computation. Sealed with our broad Seale.

Underwritten,
Minna Mottono.
Yei. Ye. Yeas.'

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In consequence of this charter an English factory was established at Firando, and was left by Captain Saris under the superintendence of Richard Cocks, to whom three Englishmen — among whom was our old friend William Adams — were given as assistants. In the course of the year 1614, when Captain Saris had left Japan, we find the directors of the factory endeavouring to open a trade with Corea, and later with Siam and the Loo Choo Islands. Indeed, it is said, that the chief motive with the English East India Company for sanctioning the establishment of the factory at Firando, was that they might introduce themselves to the Chinese markets, and cover the losses incurred by the direct trade with Japan, by fostering a general trade between China, Japan, Corea, &c. In this expectation they were baffled, and prematurely, as it turned out, resolved in the year 1623, to withdraw their establishment altogether from Japan; a false step which they have never been able to retrace.

We must, at this point, mention the expulsion of the Portuguese from Japan, as without a proper appreciation of this point it would be difficult to comprehend the difficulties thrown by the Japanese in the way of a renewed intercourse with the English. The Portuguese had for a long time driven a most thriving trade with Japan, but, as we explained in a former portion of this Paper, by the intrigues of the Jesuits, and their own unbridled appetency for gain, they had rendered themselves obnoxious to the then sovereign powers. They ventured moreover to mix themselves up in a conspiracy with a party among the Japanese, the object of which was the dethronement of the reigning Ziogoon. The plot was detected, partly, it is said, by the agency of the Dutch, who intercepted a letter at sea which contained a full revelation of the conspiracy, and handed it to the authorities at Jedo in hopes that it would give them advantage over their commercial rivals. The letter certainly produced the desired effect, for it drew forth the edict by which Japan has continued a sealed book to all foreign nations for upwards of two centuries. The Dutch only were exempted from the ban in return for the service they had rendered to the Government. The effect of this edict is stated by Kœmpfer as follows: 'No 'Japanese ship or boat whatsoever, nor any Japanese born, shall 'dare to go out of the country. All who disobey the order 'shall be punished with death; the ship with her cargo shall be 'affected with sequestration. All Japanese who return home 'from abroad shall suffer death; a reward of five hundred 'pieces of silver is offered for the discovery of a Christian priest, 'for a Christian layman in proportion. All persons who spread

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'the Christian doctrines, or bear so scandalous a name, are to 'be imprisoned. Finally, all the Portuguese, with their 'mothers, nurses, and all their property, shall be transported to 'Macao.' The Portuguese ventured to send an embassy from Macao to see if something could not be done to repair the mischief. They were dismissed with a threat that all Portuguese, whether forming part of an embassy or not, who ventured, after this solemn warning, to set foot on Japanese soil should suffer the penalty of death. Another embassy was sent, and the Japanese showed with what terrible fidelity they adhere to engagements of this nature. The detail of this horrible transaction will be found at length in 'Charlevoix.'

It was not until half a century after their abandonment of their factory at Firando, that the East Indian Company endeavoured to renew their intercourse with Japan. It may be, that the perpetual confusion in which England had been kept in consequence of the wars of the Commonwealth had somewhat impeded the course of commercial enterprise. But in the year 1673 the good ship 'Return' was sent to Japan, with an assorted cargo, to endeavour, if possible, to renew a commercial connexion, which, it was hoped, was not broken up for ever. On their arrival at Nangasaki they found that the Dutch were the only representatives of the western nations left in Japan, and, of course, all their influence was exerted to procure the exclusion of their English rivals. The fortunes of the war had thrown an apt occasion in the way. Our Charles II. had intermarried with the Portuguese Infanta. The representatives of Holland in Japan assured the authorities that England or Portugal was all one since this union between the two Courts. In vain the captain of the 'Return' pleaded the charter, he only received the decisive answer, 'that there could be no trade 'between the Japanese and the subjects of a king who had mar-'ried the daughter of their greatest enemy. With the first fair 'wind they must quit the shores of Japan, and return no more.' The Captain asked, if they might return again when circumstances had changed. The nuptial bed of Charles was a barren one, and all connexion between England and Portugal must soon be definitively broken off, might the English, then, try again? He was told, 'They had better not.' Since that time there have been various scattered attempts on the part of the English to procure a renewal of intercourse. In 1791 the 'Argonaut,' merchantman, tried and failed. Then there was the 'Providence,' surveying-vessel, Captain Broughton, 1796,—no one permitted to land. The 'Frederick,' merchantman, from Calcutta, in 1803, with a cargo, ordered away in twenty-four

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hours. In the year 1808, the 'Phantom Frigate,' under Captain Pellew, entered Nangasaki Bay, and well nigh drove the local authorities out of their wits. The Governor and several of his officers were obliged to perform the ceremony of the hara-kiri. This brings us to the great attempt made by Sir Stamford Raffles from Batavia at the time of the British occupation, but it will first be proper to say a word on the situation of the Dutch in their factory at Dezima.

The position of the Dutch at Nangasaki has been far more humiliating than any thing endured by the representatives of English commercial interests at Canton in the worst of times. The amount of their trade is limited, nor are they permitted to despatch more than two ships every year. The factory at Nangasaki stands on the little island of Dezima, which is connected by a narrow causeway with the main land. Within its walls the Dutch residents are strictly confined, nor are they permitted to go out for a walk in the city or its environs without a special permission from the governor, nor even then without such a train of guards and attendants—all of whom must be highly fed and paid—as render them very reluctant to profit by the nominal privilege. They are subjected to the laws of Japan during their stay. Their ships on coming into harbour are compelled to deliver up all their ammunition, weapons of war, and religious books. Their movements are constantly watched, and their steps dogged by spies, even within the limit of their own factory. There are not many positions in the world which could be quoted as so unenviable or so hampered with tedious restraints of every kind, as that of an unfortunate Dutch *employé* in the factory at Dezima. We must not, of course, pass over in silence the journey of homage from Dezima to Jedo, to which the Dutch were at first annually subjected. It was upon these occasions that the factory physicians had such good opportunities of making themselves acquainted with the internal constitution of Japan. Therefore we have every reason to be thankful for the arrangement. Since the close of the last century these State journeys have been limited to one every fourth year, but the presents are required to be despatched annually, as before. For an account of the ceremonials at Jedo, and for the strange sights met with on the road, we must refer our readers to the 'Pencillings by the Way,' which bear the signatures of Kœmpfer, Thunberg, and Siebold.

With regard to the value of the trade, for which the Dutch have endured so many humiliations, we have very full information in a most valuable report from Baron van Imhoff, which has been dissected by Sir Stamford Raffles in the Appendix to

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his 'History of Java.' It appears that for some years after the events of 1640, and until the Dutch lost possession of the island of Formosa in 1661, decent respect was shown to them. The loss of this island, which involved the loss of naval supremacy in the Japanese waters, threw the factory at Firando completely into the hands of the Government at Jedo. Still, despite of the humiliations to which they were subjected, the trade appears to have been a most profitable one for many years afterwards, as will result from the statements of Van Imhoff, which we here abridge. In the beginning, the returns from Japan consisted of silver and copper. In the year 1640 orders were issued to the factors at Japan requiring gold as a return. So successfully was this operation carried through, that the profits made upon the returns of gold coin alone amounted, during the two years 1670, 1671, to one million of florins. The exportation of silver was soon prohibited, but this mattered but little, as the great profits were made upon the exportation of gold. In 1685 the Japanese Government intervened, with a far more arbitrary regulation, limiting the trade of the Dutch to 300,000 *tahils*, two-thirds of which were to take place on piece goods and weighable articles, the other third on silks. In 1689, in place of an unlimited exportation of copper, the supply was limited to a very moderate provision. In 1700, not more than four or five ships were allowed to be sent instead of six or seven, as before; this number was finally reduced, in 1717, to two ships, and in 1743 to one ship, and one-half of the cargo. The Dutch writers, however, complain of nothing so much as of constant alterations made by the Japanese in the value of their currency, coupled with an arbitrary and compulsory valuation of their imports. The impression, however, resulting from a careful perusal of the statements made by them upon this subject is, that the fault lay mainly with the Dutch factors themselves, who did not shape their imports according to the exigencies of the time, and demand exports of such a kind as were most consistent with the political and commercial circumstances of Japan. Added to this, we have the authority of Dutch writers themselves for stating, that the ruin of the Company's affairs was far more attributable to the illicit and private trading of their own agents, to the shameful venality and peculation of the authorities at Batavia and Dezima, than to any cause over which the Japanese had control.

In the year 1813, when Sir Stamford Raffles was Lieutenant-Governor of Java, he despatched two ships to Nangasaki, as the annual traders, in hopes that he might be able to effect the shifting of the commerce from the hands of the Dutch to those of the English without exciting any jealousy on the part of

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the Japanese. Heer Cassa was named to succeed Heer Doeff as president of the factory. Two commissioners accompanied the expedition, one Dutch, Wardenaar, the other English, Dr. Ainslie, who were empowered to make all necessary arrangements upon the spot. Heer Doeff, however, refused to give credence to the story either of the surrender of Java, or of the recent occurrences in Europe, and determined to maintain Dutch authority at Dezima, if it existed no where else. He gained over to his cause the authorities of the place, who well knew what consequences must ensue to themselves for having permitted the entry of English vessels into the harbour of Nangasaki. Having operated successfully on their fears, he next endeavoured to appeal to the prudence and moderation of the English agents, and with success. Why could they not return next year, and bring him full and proper assurances of the surrender of Java, and the political extinction of Holland? Meanwhile he would do what he could, he would negotiate with the Japanese for the sale of the cargoes that had been brought to Japan, as also for suitable returns. Thus nothing would be lost, and he would enjoy the satisfaction of having been faithful to his duty, and true to his allegiance to the last. A year's delay mattered little. The Commissioners assented, and went their way; but when they returned next year Heer Doeff had completely got the local authorities into his power. Any detection of the trick to which they had been parties must infallibly lead to their instant death. In conjunction with them he manœuvred so successfully, that the Commissioners were compelled to retreat a second time *re infectâ*. Meanwhile news had been received of the probable and speedy restoration of her colonies to Holland at the conclusion of the war, and so Sir Stamford Raffles was foiled.

It is evident enough upon the most cursory consideration that any statement of the comparatively trifling value of the trade between the Japanese and the Dutch factory at Dezima for the last few years can have but little interest in the eyes of commercial men. The present produce of a trade conducted with such manifest disadvantages on either side can offer no fair index to what it might become under more favourable conditions. Japan will not have, like Labuan, to trust only or principally to its coal. Common sense would inform us that a free and dignified commercial intercourse with an industrious and intelligent population of 30,000,000, or thereabouts, cannot be a matter of indifference to the producers, manufacturers, or merchants of the three kingdoms. It does not fall within our province to suggest the details of future cargoes; such matters are best left

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to the practised intelligence of commercial men. But we know that the Japanese islands experience great varieties of climate, and consequently the inhabitants require many and various articles which the British manufacturer can readily supply. Nor is it possible that suitable returns are not readily within reach of our merchants if they have but the discretion to accommodate their demands to the natural productions of the country, and to the industry of the inhabitants. Many tokens would seem to indicate that the Japanese themselves — that is the population, not the Government — are prepared for the change, and anxiously desire to see themselves relieved from the spell which has hitherto kept them secluded from all intercourse with foreign nations, and to enter within the walls of the next Crystal Palace. They are too ingenious and too acute a people not to appreciate the full superiority of European progress over their own; and in the limited intercourse that has been permitted them with the factory-physicians, and others, they have always shown the greatest desire for obtaining information of every kind. Nor need we limit our assertion of Japanese anxiety for European intercourse simply to scientific and mechanical questions. When, in the year 1819, Captain Gordon arrived in the Bay of Jedo, and remained there for eight days, his ship was constantly thronged with hundreds of persons, who were most anxious to trade had not the sternness of their national customs stood in the way. The testimony of Golownin, too, may be admitted without scruple to the same effect. When he tells us of the extreme value the Japanese, even in that remote quarter of the empire, seemed to set upon the most trifling European article, it would naturally follow that to repress this desire in the richer and more populous districts of the empire must require the constant and unceasing solicitude of the Government at Jedo.

It is not for us to predict the exact results that may follow from the particular expedition which has been announced as about to sail from the ports of the United States against the shores of Japan. Before doing this we should require to know a little more of the condition of the attacking armament, as well as of the actual means of resistance at the command of the Ziogoon's ministers. It would be madness to affect a doubt as to the result if the warlike skill and discipline of Europe or the United States are once fairly pitted against the resources of any Asiatic power. The military genius and hardy frames of the mountain tribes of Upper India could not save them from defeat when they were opposed to the serried ranks and powerful artillery of the British army. The same thing may happen in the case of Japan. All

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human presumptions would seem to indicate that if Commodore Perry's expedition is conducted in the same spirit of prudence and courage which has hitherto presided over the warlike operations of the United States Government, the hours of Japanese seclusion are already numbered. We have, however, the authority of English officers who have served with great distinction in those distant waters for stating that they place a wide difference between an attack upon Japan and any similar operation which has been carried out either in China or in any other district of the Indian Seas. The Japanese are a proud and warlike race. They are careless of danger and indifferent to life; where one combatant falls another will take his place, and another, and another, as though the only object of their assault were to exhaust the fire of their enemies, and then overpower them by sheer numbers. We can scarcely think, if Commodore Perry should decide to advance into the interior with the small force at his disposal, that the first attempt will end in favour of the expedition. The army of Japan consists, by the latest accounts, of 300,000 foot soldiers and 50,000 cavalry. In artillery they are of course miserably deficient, and their powder is of a most inferior quality. Still they have at their disposal an enormous population, proud of their traditions and of their native land, and determined, we should imagine, to defend it to the last drop of their blood against the invaders from beyond the dark sea.

It may be — and at this point we admit most freely that we have nothing more secure than conjecture to guide us — that the government of Jedo might be convinced of the impossibility of ultimate resistance, and would endeavour to make the best terms they could with the invader. It is certain that they are perfectly well acquainted with the rapid success of the British arms in China in 1841–42; and they may well anticipate, in their own case, an analogous result. But why should they confine their attention to China alone? there is scarcely a square mile of Asia, from the Persian Gulf to the Chinese Sea; from the Himalayas to Cape Comorin, which should not also be suggestive of prudence whilst it is yet time. That prudent negotiation would be the right course for those who would maintain the integrity of Japan, no one can doubt; but that it will be adopted, is a supposition sadly inconsistent with what history has yet told us of the march of human affairs.

Thus then we have endeavoured, in a few brief pages, to indicate to the English reader a few of the most interesting points connected with the past history and present position of Japan. What constant self-restraint it has required on the

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part of the writer to confine his narrative within such slender space, only those can tell who have found delight and instruction in the records we possess of this singular and gallant people. Chapters must be condensed into sentences, and many points of great interest omitted altogether — the story, for instance, of the connexion between China and Japan, and the nature of the intercourse between the sovereign country and such dependencies as the important group of Loo Choo Islands. It is, however, our comfort to reflect that all readers unacquainted with the subject will not miss what is absent, while students of the Japanese Annals will comprehend the embarrassment of those who are compelled to confine their observations to the few leading points which may best attract the attention of a reader who is approaching the subject for the first time. At least we have endeavoured most conscientiously to discharge one part of our duty, which is to point out those sources from which all requisite information on Japan can be derived by those who feel further curiosity upon the subject.

The moment is rapidly drawing near when those who have anxiously looked for the opening of this sealed book may hope to hear more of the strange customs and fashions of Japan. But it is not from purely literary or fantastic considerations of this kind that we regard with satisfaction the speedy restoration of Japan to the comity of nations. The compulsory seclusion of the Japanese is a wrong not only to themselves, but to the civilised world. Every one is so far master at home, that the Law of Nations has been hitherto very tender of authorising a country to force its commerce or its society upon another. But the rights of independent Sovereignty must be so construed as to be reconcilable with the great principles upon which all titles of property or jurisdiction ultimately depend. It is difficult to entertain a doubt that, after so long and so patient a delay, other nations are justified in demanding intercourse with Japan, as a right of which they are unjustly deprived. The Japanese undoubtedly have an exclusive right to the possession of their territory; but they must not abuse that right to the extent of debarring all other nations from a participation in its riches and virtues. The only secure title to property, whether it be in a hovel or an empire, is, that the exclusive possession of one is for the benefit of all.

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ART. IV. — 1. *The Tithe Proctor: a Novel. Being a Tale of the Tithe Rebellion in Ireland.* By WILLIAM CARLETON. London: 12mo. 1849.

2. *Valentine M'Clutchy the Irish Agent; or the Chronicles of Castle Cumber.* By WILLIAM CARLETON. Dublin: 8vo. 2nd Edition. 1848.

3. *Fardorougha the Miser; or the Convicts of Lisnamona.* By WILLIAM CARLETON. London: 12mo. New Edition. 1848.

4. *The Black Prophet; a Tale of Irish Famine.* By WILLIAM CARLETON. Belfast: 12mo. 1847.

5. *Traits and Stories of the Irish Peasantry.* By WILLIAM CARLETON. Dublin and London: 2 vols. 8vo. 1843.

THE sensitiveness of the Celtic character has been augmented by the misrule of past ages and by the system which some of her favoured children have in our own time adopted for the cure of her social and political disorders. It is hard to touch so sore a body without irritating. We think it right, therefore, to state, in the very outset, that, in commending Mr. Carleton's power as a delineator of Irish character, we abstract entirely those passages in his writings which have given just offence to religious feelings. The young peasant genius was, in the very commencement of his career as author, patronised by some of the most unbending enemies of Catholic emancipation and the most noted leaders in the angry warfare of the day: and several of his early tales copied but too faithfully the language and spirit of his new political associates. All his writings, for several years back, are, we believe, entirely, or almost entirely, free from this taint. In the later editions, too, of his earlier productions, not a few of the most objectionable parts have been cancelled, others softened down: and we have learned on good authority that, had the author been permitted to exercise his own discretion uncontrolled, what still remain would have been subjected to a more unsparing process. In the preface to one of his recent works he admits that 'a more enlarged knowledge 'of life, and a more matured intercourse with society, had en- 'abled him to overcome many absurd prejudices with which 'he was imbued;' and that he had 'published in his early works 'passages which were not calculated to do any earthly good, 'but, on the contrary, to give unnecessary offence to a great 'number of his countrymen.' This is candid and generous, and deserves to be met in a candid and generous spirit.

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Mr. Carleton's works are of very unequal merit. To begin with his defects. Some of his scenes and stories are utterly flat and spiritless from beginning to end; and there are here and there, in the collection of his writings, little deposits of unsavoury rubbish, which remind us of certain adjuncts such as he has himself described to be sometimes perceived, by more senses than one, beside the habitations of a particular class of his countrymen. He is now and then coarse and vulgar; even his most happy efforts are not always free from this serious drawback. Nor is the fault palliated, for it could not be excused, by an over rigid adherence to actual nature: it is generally found in those scenes where his caricatures and exaggerations are most excessive. His failures begin on his seeking to come out as a colloquial humourist or describer of outlandish incidents, on his own account; as often as he ceases to copy the real language and manners of the people, and to paint events most likely to occur among them. Of attempts at the smart or facetious not true to the usages of Irish speech, and of adventures not true to Irish life, we do not remember a single occasion in which he does not depart as widely from the common principles of good taste as from the duties of a faithful observer of men and things. Several of his dull passages are open to an opposite objection. They are indeed true copies, but copies of scenes not worth copying.

There is another fault, which a few mere strokes of the pen would cancel from all future editions. He at times breaks in upon the narrative with a little lecture on the relations of landlord and tenant, the importance of education, the duty of forethought and economy, and the like. We do not mean to insinuate that these topics are not of the first importance, or that his strictures are not just and valuable; but they are out of place. We go to the lawyer for sound legal advice, to the doctor for his prescription, and to Mr. Carleton for a capital Irish story 'racy of the soil.' We have had so many dissertations on that crowning 'difficulty'—'the Irish Evil'—so many 'remedies' for it, that we doubt if the subject could be made attractive reading in any book: in *his* books it is the portion we skip. The first rule is—stick to your story; whatever you add that is not a part of it, though ever so valuable in itself, will be an incumbrance, as a man's movements are embarrassed by a weight on the back, though it were a weight of gold. One of the merits of Mr. Carleton's best tales is, that they convey their own lessons, and require no gloss. When he epitomises himself into a lecture, it is like the exquisite singing of a beautiful song followed by a drawling recitation of the words. After

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all, the faults we have noticed are but occasional, so loosely connected with the structure of the sounder and better parts, that their removal might be easily accomplished without leaving any scar behind.

It is among the peasantry that Mr. Carleton is truly at home. He tries other characters, rarely, however, and not unsuccessfully. But the Irish peasant is his strong point: here he is unrivalled, and writes like one who has had nothing to look out for, to collect by study, to select, to mould; who merely utters what comes spontaneously into his thoughts; from whom the language and sentiments flow as easily and naturally as articulate sounds from the human lips or music from the skylark. Those who have in early life dwelt among the Irish peasantry, and since forgotten that period in other and busier scenes of existence, meet again, in the pages of Carleton, the living personages of long past days, like friends returned from distant lands, after an absence of many years. Upon the whole, he paints them with an impartial hand: their excellent qualities he brings out fully, their general defects and the blacker vices which characterise certain individuals, he neither hides nor softens down. Some of his countrymen have been very angry with him for not representing his peasant as the finest in the world, if not absolutely faultless; while others, on the opposite side—his own countrymen still—have assailed him for bestowing graces and noble feelings and noble virtues where they are not to be found. We believe, however, that he wrote with full knowledge and in good faith. Neither his good nor his evil persons are ideal; but it is in the delineation of the former that he appears to most advantage. In portraying scenes of true and pure affection, of generous self-sacrifice, of tender sympathy, of silent and devout resignation, of humble domestic love and happiness, his heart is poured forth in strains too simple and natural not to impress his readers with the belief that he is but recalling a past reality, and describing what he had once seen and perhaps acted and felt himself. He tells us, in the preface to the last edition of the most successful of his longer stories, 'Fardorougha the 'Miser,' that the individual who sat for the character of Honor O'Donovan, the miser's wife, was his own mother. A beautiful impersonation of the purest domestic virtues she undoubtedly is; but, as the type of a pretty large class, we can assure our readers, by no means overdrawn. It is in the relation of mother or daughter or sister of an erring husband, or son or brother, that the truly devoted heart of the Irish peasant female is best tried and seen. We have known instances,—and for our opportunities of observation, not a few,—to which the portrait of

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Honor O'Donovan would answer without one trait of exaggeration. We can say the same of all his other more quiet and loveable characters, as well as of most of those which interest us by their drollery, or salient absurdity, or good-humoured rustic *'cuteness.*

The primary and essential value of Mr. Carleton's sketches of Irish peasant life and character unquestionably consists in this—that they are true, and *so* true to nature: but it is enhanced by a circumstance similar to that recently recorded and lamented by Lord Cockburn in reference to Scotland. The living originals are disappearing, some of them have already disappeared. In Ireland, since our author's youth, changes rapid and deep have taken place, which, according to diversity of prejudice, and of the other causes that generate diversity of opinions, will be referred to different sources, and be brought to illustrate different political and social theories. But of the fact there cannot exist the least doubt. The hedge schoolmaster is gone from the greater part of the country; the poor scholar is gone; we hear no more of the 'battles of the factions;' 'party fights'* are of rarer occurrence than formerly, though the bitter spirit which produced them, and was in turn nourished by them, is still far from extinct on either side. The old races for the bottle; and the old wakes, with their barbarous and demoralising games; and the old funerals, with their picturesque trains of 'Keeners,' uttering their wild, sweet, plaintive, Irish cry; and the old merry meetings in the fields, or at the cross roads, on Sunday summer eves, or in the barn, on long winter nights, with their music and fun and noisy dance and boundless humour and joy; and the old hearty sports at All Hallow-tide and other seasons; and the old prophecy man, and his prophecies too; and the old familiar beggar tramping his periodical and welcomed rounds, with his three hundred and sixty-five stories, 'a story forment every day in the year,'—they are all rapidly disappearing, and, in many places where they once seemed to enjoy an undying existence, are already numbered with the past, and perhaps the forgotten. What is of far more painful significance, the sheltered nooks, the quiet valleys, the sequestered country side, inaccessible save by lanes and footpaths, are no longer peopled with the simple and comfortable race who once lived there, rooted to the spot, as if they knew not, or cared not

* *Faction fights* took place between hostile families or clans and their respective adherents; religious animosity did not enter into them. *Party fights* took place between Protestants and Catholics; they sprang exclusively from the *political* hostility of creed against creed.

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to know, of any world beyond. The old people are melting away, and their old feelings and manners, and much of their peculiar phraseology itself, are passing with them. A great deal of what is gone is in every sense well away; a great deal, too, is gone, which had better have remained; nor has the vanished evil been always succeeded by the good, or the vanished good by the better. But, for better or for worse, and from whatever cause or combination of causes, the change has set in and is in progress; how rapid or extended it may be for the future, the future alone can disclose.

To Mr. Carleton thus belongs the great merit of perpetuating a true and living image of so much of what is already, or, ere long, will be lost. So far as our acquaintance with this sort of literature extends, no other writer has approached him in the freshness and reality of his pictures. He is not only Irish, but thoroughly Irish, intensely Irish, exclusively Irish. Putting aside the few tales and incidental passages, already alluded to, as of an exotic and distorted character, and, taking his best writings, that is, the great mass of them, he stands alone as the exhibiter of the inward and external, the constitutional and the accidental, the life, the feelings, the ways, the customs, and the language of the Irish peasant. Others have given partial sketches and individual portraits, types of no one else, or of but an insignificant few. Mr. Lover, for example, has drawn some lively and tolerably true pictures, but of odd out-of-the-way characters, such as one might perchance light upon here and there, but not resembling the body of the people. Mr. Lever, in his peasant pictures, deals altogether in the grotesque: they are occasionally somewhat Irish, but generally the most un-Irish things in the world. Mrs. Hall appears in her books an exceedingly wise and benevolent person; and if the people of Ireland acted up to only one-half of the practical instructions conveyed in her story lectures, they would soon become a pattern nation for quietness, industry, and all good qualities. But she is a great deal too practical, and eternally shaping her plot and her characters to make Irishmen see what they ought to be, rather than to let us see what they are. Of the Irish peasant life she appears to us to know not much more than may be learned from books, and a drive through the principal towns and villages in one of Mr. Bianconi's far-famed jaunting cars. Now the Irish peasant is precisely one of those who are not to be well known by a passing glance, or conversation, or acquaintance, especially if the observer should happen to be of a more respectable class, of a different country, or even of a different province or county, and, we may add, of a different creed. Though the hospitable door

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and tender heart of the more comfortable Irish peasant are always open at the call of want, yet to fine-dressed, fine-spoken people, who come not to appeal to his generosity, but to ask him questions and 'draw him out,' he is absolutely impenetrable. When pryed into in this way he is never sulky, never returns a rude answer; on the contrary, he is most on his guard against the appearance of incivility when he most distrusts an unknown inquisitor. By the Irish peasant only can the Irish peasant, as a body, be thoroughly known; or if by any other, he must be one who lives among them, is well known by them, is familiar with them, liked by them, and in some way has become one of themselves. Mr. Carleton is himself an Irish peasant. The son of peasant parents of the humbler class, he passed all his early life up to manhood among them, mixed in all their sports and conversations, and was in every thing one of them. To this singularly fortunate circumstance his singular success is, we have no doubt, entirely due — the eminent natural abilities being of course supposed, without which such fine opportunities could not have been turned to such high account. Unless another master hand should soon appear, like his, or abler than his, it is in his pages, and in his alone, that future generations must look for the truest and fullest — though still far from complete — picture of those, who will ere long have passed away from that troubled land, from the records of history, and from the memory of men for ever.

We have alluded to Mr. Carleton's peculiar success in portraying the workings of the nobler and more tender passions in the heart of the Irish peasant. His country stands not a little indebted to him for having dwelt on this part of his theme at such length, and with so much fondness. To the development of this phase of Irish character he has, in many of his stories, devoted a large, but, we think, by no means disproportionate space. In doing so he has supplied a serious omission, and contributed to the removal of a very erroneous impression from the minds of those whose estimate of Irish nature had been formed from the current novels and farces of the day, or the roaring mountebanks who, in all periods of agitation, thrust themselves into the most conspicuous positions. The poor Irishman used to be constantly represented as an impersonation of eccentricity, knavery, recklessness, and most ludicrous absurdity in speech, manner, and costume. To this day he is commonly thus represented — so far as this can be done — in pictorial broadsheets. Nor is this all prejudice or ignorance; for unquestionably there has existed, and still exists, a class of persons in that country who could not fail to be at once recog-

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nised in the vulgar picture, however grossly overcharged. But they are a class who do not so much constitute a part of the stable peasant population as hang loosely about it — a kind of vagrant, gipsy brood, without homesteads, or home affections, or home habits, bearing to the fixed community very much the same relation as Mr. Mayhew's London street folks bear to the London householders. Their modes and means of existence are of infinite variety. The province of Connaught presents, in many respects, a striking contrast to each of the other three provinces; but the swarms which annually, at harvest time, migrate thence to England, strongly resemble, if they are not to be in all things identified with, the class of which we are now speaking. They lead a hard, uneven life; some through endless toil, without ever knowing the comforts of a domestic hearth; others, by their wits, as well as they can. Many of them have no local or personal predilections, move from place to place, pick up the habits of thought and the manner which best suit their circumstances for the time being, become sharp and, externally at least, plastic, acquire wonderful facilities of imitation and adaptation. The isolation, and motion, and wear and tear of such a life, prevent the accretion, as it were, of genial soil upon their hearts, and the finer feelings cannot take root there. They sometimes become gross and stupid, but far more commonly their native buoyancy gains the ascendant and, freed from the softening influence of tender emotions, displays itself in those uncouth antics which make them appear to the careless observer like mere animated machines of trick, absurdity, and buffoonery. They are indeed a combination of many strange wild habits, but habits, it is fair to add, generated by a combination of many miseries and many temptations. Their rude slyness and sharpness of observation and repartee, are fully equal to the specimens given in the works alluded to. But there cannot be a greater mistake than to take them for a class of half idiots and blunderers — at least in their own affairs. On the contrary, the pompous 'observer of men and manners,' who thinks that he has transferred their inmost thoughts and dispositions to his notebook, is the real blunderer, and becomes, the moment his back is turned, the object of a hearty laugh to the half-dozen of listening simpletons who had played upon his credulity and sounded his designs to the bottom, while he vainly fancied himself the sole keen observer in the group. We have an excellent instance of this in the interview between the mowers and their employer in the story of the 'Poor Scholar;' and another, developed at greater length, in the story of 'Phil Purcel the Pigdriver.' In one slight point hardly any caricature, whether by actor or

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painter, has ever gone beyond the reality, or perhaps come up to it. We allude to the dress, particularly the head-dress, of many of this class of the Irish peasantry. There is not, we believe, on this earth any form of hat so irresistibly comical as the 'caubeen,' to be met with every day on the head of some Irish labourer or strolling beggar. Doyle has tried it, Phiz has tried it, Cruikshank has tried it; but the reality, as we have seen it a thousand times, beats them all hollow. Its size, its shape, its colour, its crown, its leaf, its band, its dinges, its twists, its set on the head, its weather-beaten, but still weather-defying endurance—as if Kehama's curse had fallen upon it—from winter to winter, from summer to summer, still the same—such a union of the fantastical has no parallel in that article of costume, or perhaps in any other.

There is another class of the Irish peasantry which, though possessing some outward resemblances of speech and manner with that just briefly described, yet is, in the most important respect, entirely and essentially distinct from it. Both are designated by the common name of peasant, and are, therefore, in plays and novels, often confounded. This second class is distinguished from the former in having a domicile, 'a house and 'bit of land,' perhaps an heir-loom for some generations; and it is also distinguished by the habits which naturally grow out of this more settled and comfortable mode of life. It, of course, graduates from the independent farmer down to the mere tenant at will of a mud cabin, with its half rood of garden. But we do not include this lower gradation, which does not often substantially differ from the lowest class of peasantry. It is of the better class that Mr. Carleton's more engaging characters may be taken as fair specimens. It is among them that the scenes of deep pathos, disinterested and enduring affection, the poetic language of grief and joy are chiefly found; of course we do not speak of what is universally the fact, but only of what more commonly occurs. There is, however, a wide difference between the condition of this, which we may call the farmer class, in Mr. Carleton's native province of Ulster, especially in that part of it to which his descriptions generally refer, and the farmer class in the province of Leinster, and a considerable portion of Munster. In the former, a holding of twenty, or sixteen, or, in some places, even of twelve or ten acres of fair land at a fair rent, is considered to be a pretty 'snug' and secure condition, and would entitle the holder to the designation of 'Mister' among his poorer neighbours or his equals, and a more familiar salute from the squire or clergyman of the parish. In the counties of Meath, or Kildare, or Dublin, a much larger holding would be

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necessary to raise its occupant to the same grade of comfort and respectability. We think that, in these respects, the possession of three or four hundred acres of land, in any of the three counties just named, and in some counties of Munster, would be no more than equivalent to the possession of about sixty acres in crowded and commercial Ulster. Again, the disposition, habits, and peculiar phraseology of the peasant farmer of Ulster, differ in several notable respects from those of the same class in Munster. The Ulster folks are a more hardworking race, have a more reserved stand-off manner, speak in a quicker and sharper tone; the social intercourse of the sexes is much colder and more jealous among them than among their southern countrymen. The latter are less disposed to break their hearts with work, have much more pride of descent, in such of them as can boast to be descended from the old Irish princes; they are readier with the soft word and liberal promise, enter more quickly into easy friendly terms with a stranger, and are much more lavish of substantial hospitality. The partisans of either province draw their own inference, and maintain them obstinately enough. We are inclined, however, to think that, generally speaking, the cunning and insincerity to be found in one province are of the same stamp, though wearing a different mask in the other; and that the nobler qualities of both differ less than might be concluded from their outward manifestations. Certainly the externals differ, as we have said, very widely; and to this, doubtless, it is to be attributed that Mr. Carleton is by no means so well understood or appreciated in the southern division of the kingdom as in his native province. There is one vice common to both — an evil relic of former times — still existing, though, we rather hope, in diminished and still diminishing intensity: we allude to the provincial feeling which animates Munster against Ulster, and Ulster against Munster, as though the wide sea, a different language, a hostile creed, and the memory of recent bloody conflicts, divided them.

Of the singular characters who are rapidly disappearing from the face of the country, the hedge schoolmaster was one of the most curious. The spread of the National System of education has, more than any other cause, or all other causes together, contributed to the decline of this once numerous and popular race. Their disappearance is undoubtedly a great blessing in many respects. Nevertheless they were not to blame for the scanty measure and inferior nature of their professional qualifications; still less were the people to blame for not providing themselves with a better substitute. To teach, or to receive instruction, was prohibited by law until the close of the last century. After the re-

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laxation of the penal code, there was no other teacher than the hedge schoolmaster, to whose schools the peasantry could conscientiously send their children; and, even if a better could be found, they were too poor to secure his services. To the strong love of learning, notwithstanding all difficulties and discouragements, was the existence of this remarkable class, great as were their deficiencies, entirely due. There is nothing on which the Irish peasant prides himself more than 'making scholars of his 'children.' His eye actually flashes with delight in witnessing one of his 'little gorsoons' displaying a bit of scholastic proficiency before strangers; and he has a thousand ingenious artifices for communicating the fact of his son being at school, and the importance he attaches to it. 'Troth, it's hard enough 'on me to keep our Tommy at school, between buyin' books an' 'payin' the masther, let alone sparin' him from the work; but 'it's a fine thing to have the laarnin', an', as I can lave him 'nothing else, I'll lave him that any how.' To this cause, and to the extraordinary respect which the peasantry entertained for persons who had a name for learning, must be attributed the high place which the schoolmaster used to hold in their regard and affections.

The name of hedge schoolmaster originated, it is said, in the custom of teaching near hedges, at the time when it was necessary to communicate education by stealth. After the necessity had ceased, the custom was in many places kept up, partly because it was established, and in fine weather was rather pleasant than otherwise, aud partly on the plea of poverty. Subsequently the term was extended to all schoolmasters of that inferior class, whether they taught under a roof or not. A wide distinction should be drawn between the hedge schoolmaster who imparted only an English education, and him who also taught classics. The *physique* of their respective schools may not, in many cases, have differed much, but in other respects they were very unlike. A great deal of what Hazlitt calls the ignorance of the learned, existed in the classical schools, but a sound knowledge of the Latin language, if not of Greek, was communicated in most of them. Lads to whom the works of the commonest standard English authors were hardly known even by name, had acquired a familiar acquaintance with the difficulties and beauties of Livy, Tacitus, and Juvenal, with the rules of Latin grammar, and Latin prosody. We have no doubt that, for solid classical acquirements, these old schoolmasters were far superior to most of the teachers in the several little seminaries which have superseded the common school, and

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need not shrink from a comparison even in the important point of morals.

The peasant schoolmaster, whether classical or English, was to the lover of character a perfect gem. He had nothing in the quality, or colour, or cut of his clothes, to distinguish him from many of the people about him; but among a thousand you could not mistake him. He had the careless magisterial step as of one whose mental superiority was admitted and looked up to by all, and fixed beyond the danger of question or rivalry. He had the settled self-possession of countenance, as if he were just thinking at the moment that his education had been completed, and that nothing now remained for him but to enjoy the contemplation of his unbounded store of learning, while the rest of the world were labouring to approach, but would never succeed in approaching him. But his most laughable and distinctive characteristic was an extraordinary relish for the bombastic and the pedantic, especially in writing. These qualities of style generally excite only disgust and aversion; in him they were simply amusing; it was impossible to be displeased, it was impossible not to be entertained. The mixture of inconceivable improprieties in the use of those big words, and of stray passages from poets and orators, sometimes altered and adapted in the most ludicrous manner, — the rich vein of incongruity, — and, to complete all, the occasional touches of genuine nature and simplicity, together with the earnestness that pervaded the whole, we have never seen united together in the same way, save in the productions of this character, and of a few others who have gone through a similar course of reading and general drilling. There have been men so gifted with imitative powers as to copy the prose or poetic style of eminent authors with such success that acute judges could not distinguish the imitation from the original. But we have never seen an imitation of this class of compositions that did not turn out a complete failure: the genius of Theodore Hook, or of the authors of the Rejected Addresses would have failed; even Carleton has rather failed except where he has transferred and fused from the stores of his memory. We have seen a considerable number of those documents fresh and genuine — letters, petitions, remonstrances, challenges, advertisements, &c. Mr. Carleton has, in a note to his story of the Hedge School, given an authentic specimen, the production of 'John Kelly 'Philomath;' it is a good specimen, but we have seen much better. It is lengthy, and is chiefly occupied in replying to the attacks of a rival pedagogue. It closes (a common feature in those documents) with several short poetic effusions, to one

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of which the redoubted Philomath subjoins the following commentary.

'I hope, kind and extremely patient reader, you will find my piece humorous, interesting, instructive, and edifying. In delineating and drawing to life the representation of my assailant, aggressor, and barefaced calumniator, I have preferred the natural order, free and familiar style, to the artificial order, grave, solemn, and antiquated style; and in so doing, I have had occasion to have reference to the vocal metaphrase of some words; with a due circumspection of the use of their synonymy, taking care that the import and acceptation of each phrase and word should not appear frequently synonymous. I have applied the whip unsparingly to his back, and have given him such a laudable castigation, as to compel him to comport himself in future with propriety and politeness. Yes, it is quite obvious that I have done it by an appropriate selection of categoromatic terms and words. I have been particularly careful to adorn it with some poetic spontaneous effusions; and although I own to you that I have no pretensions to be an adept in poetry, as I have only sipped moderately of the Helicon Fountain, yet, from my knowledge of Orthometry, I can prove the correctness of it by special and general metric analysis. In conclusion, I have not indulged in rhetorical figures and tropes, but have rightly adhered to the use of figurative and literal language. Finally, I have used a concatenation of appropriate mellifluous epithets, logically and philosophically accurate, copious, sublime, eloquent, and harmonious.

'The author of this extempore production is writing a Treatise on Mental Calculations, to which are appended more than three hundred scientific, ingenious, and miscellaneous questions, with their solutions. Mental calculations, for the first time, are simplified, which will prove a grand desideratum and of the greatest importance in mercantile affairs.

'JOHN O'KELLY, *Literary Teacher*,
'And a native of Drumcoloher.'

This we pledge ourselves is genuine in every word.

We have a great deal more to say about the Peasant Schoolmaster, but we must content ourselves with sending our readers to Mr. Carleton's pages, especially to the story of the Hedge School, already referred to. The picture there given is in all essential points just, and not at all too severe, so far as a large, perhaps the greater proportion of the class is concerned. But a picture remains to be drawn of the exceptions, which our author's still vigorous intellect and constitution give us ground for hoping to see executed, together with other important omissions, to be one day filled up by him. Undoubtedly the peasant schoolmaster was often addicted to tippling, often a prominent associate in the secret societies which have been one of the blackest curses of Ireland, stained with acts of inhuman

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cruelty in the exercise of his profession, and with other lesser faults; but there have been many, many of the class industrious, humane, sober, and with gifts and acquirements, however limited, fully equal to the humble and dreary occupation of their lives. As a general proposition it would be perhaps correct to say that, as were the public and private morals, and the state of civilisation among the peasantry of any district, such were the morals of their schoolmaster; in some places low enough, in others respectable.

Another of the characters which are now passing or passed away entirely, is the Poor Scholar — not the ordinary poor scholar who receives an eleemosynary and merely elementary education in English, but he who migrates from a neighbourhood in which no cheap good classical school exists, to a more fortunate region, chiefly Munster, to learn Latin and Greek, with the view of becoming a priest, or perhaps a classical schoolmaster in his native province. The poverty of his parents, and the want of a school at home are the causes that impel him to seek elsewhere gratis what he cannot acquire for love or money in his own neighbourhood. The interest excited by the delineation of this character is not so much from the poor scholar himself as from the development of so many charming, and some repulsive traits of Irish feelings and manners, which are brought on the scene in the course of his singular career.

Carleton's story of 'The Poor Scholar' is, we think, the best that has ever been written on an Irish subject by himself, or by any other. It occupies about one hundred pages in the new octavo edition of the 'Traits and Stories of the Irish Peasantry;' and, from beginning to end, there is not more than a page that we could wish or bear to see omitted. It is true to the whole Irish character in its better aspect — with which it principally deals — as the engraving to the plate that impresses it, — as the faithful mirror to the face it represents. The parting of the young wanderer from his native home, the cordial hospitality of Lanigan, — the pomposity and kind-heartedness of one schoolmaster, and the cold cruelty of the other, — the active generosity and practical sense of the curate, — the genial goodness, and no less genial humour and shrewdness displayed about the sick boy, — the rapacious agent, — and well-meaning, but misled landlord, — the scene between the latter and old M'Evoy, and then between M'Evoy and his own family, — the death of Lanigan, — the return of the poor scholar, — are, together with the minor incidents, all drawn to the very life. The story itself, as a mere story, is extremely touching; but it is the fidelity throughout to characters and manners that makes it so delightful to all who,

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having been once familiarly acquainted with those characters and manners, can therefore fully appreciate so true a portrait of them. The tender heart and innate delicacy of feeling under an uncultivated exterior, the brave independence of spirit sustained under continued trials, the strong confidence in the right with the hope that 'still hath life when life seems o'er;' the enduring sense of genuine religion that overlooks not the ordinary solace of misery, or ordinary means of escaping from it, but is always trusting to the 'firm foundation,' if they should fail; the tide of pure happiness flowing back upon hearts it had left so long, as if it had departed to return no more; the rewaking of long buried joys and long suppressed affections, like peace after weary war, like life after the grave;—these are pictures which all are moved by, but those most to whom the individual scenes and personages grouped therein are the scenes and personages of their early years and their native land.

The story of the Poor Scholar is very simple. Dominick M'Evoy, an honest industrious farmer of the better class, dwelt on the estate of Colonel B., a landlord who, like so many Irish landlords now, as well as then, was at once embarrassed in his circumstances and an absentee. The estate was managed by an agent named Carson, more commonly known by the nickname of 'Yallow Sam,' a rapacious, unscrupulous villain, one of whose many dishonest practices was to keep back receipts on some false pretext from the tenants, and then exact the full rent a second time. Carson having fixed his eye on M'Evoy's farm as a most desirable spot on which to establish an individual married to his own illegitimate daughter, in due course, and by the usual means, succeeded in gaining his double object. M'Evoy, thus driven almost penniless and heart-broken from the comfortable home of his fathers, was compelled to take, at a rack rent, a small holding on a hard barren hill-side called Esker Dhu. Toiling on this unproductive soil day after day with his son James, wasted in strength and heavy at heart, he was barely able to eke out the most miserable subsistence for himself and family. One bitter winter day, while both were thus working hard against the obduracy of the soil and the inclemency of the weather, they rested for a moment on their spades, and, after comparing together their present condition with that of their more comfortable neighbours and with their own past, young James, suddenly grasping his spade with both hands and flinging it from him, exclaimed —

'"Here, father, here goes; to the divil once an' for ever I pitch

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slavery.* An' now, father, wid the help o' God, this is the last day's work I'll ever put my hand to. There's no way of larnin' Latin here; but off to Munster I'll start, an' my face you'll never see in this parish, till I come home a priest an' a gintleman. But that's not all, father, dear; I'll rise you out of your distress, or die in the struggle. I can't bear to see your grey hairs in sorrow and poverty."

' "Well, Jimmy," his father replies, "well, agra — God enable you, avourneen; 'tis a good intintion. The divil a one o' me will turn another spadeful aither, for this day; I'm dhrookin† wid the rain. We'll go home an' take an air of the fine — we want it; and afterwards we can talk about what you're on for." '‡

With some difficulty Jemmy's mother is induced to give her consent; the parish priest, a jolly kind-hearted man, is made acquainted with his determination, approves of it, and on the next Sunday announces a collection to be made for him at the chapel on that day week. The collection, to which Protestants contributed liberally, is described at length: the custom is, we believe, now defunct in every part of Ireland. The preparations and the parting over, our young hero sets out on his journey. We pass over the beautiful episode of his kind reception on the way by Lanigan, and transfer him at once to the favoured spot on which the far-famed Munster teacher — a learned but tyrannical knave — resides. Here, on the day of his arrival, Jemmy accidentally falls in with the curate of the parish, an intelligent and worthy man, who quickly discovers the noble designs and fine disposition of the lad, and takes an earnest interest in his future welfare. It so happened that Colonel B., M'Evoy's former landlord, actually resided in this very district, and that the curate had been formerly tutor in his family. The Colonel, however, was so deeply in Carson's power, in consequence of certain money transactions between them, that the curate thought it expedient to defer laying M'Evoy's case before him, to some more favourable opportunity. Jemmy now commences his new work with the Latin grammar, and soon becomes a favourite with all his schoolfellows, among whom those whose fathers were substantial farmers in the neighbourhood, bring him home night about or week about. Things continued in this way for nearly three years: he advanced rapidly in his studies, and continued to win the affections of every one, except his tyrannical master, who, for reasons mentioned in the story, hated him from the beginning, but was prevented from seriously illtreating him by the fear of his patron schoolfellows, the indignation of whom, and of whose parents, it would have been

* Oppressive labour.
† Dripping — very wet.
‡ Determined on.

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dangerous to provoke. Gradually, however, these dropped away from the school to fall into their respective callings in life. At the close of the third year all his former sturdy friends and defenders had departed, his little stock of money was exhausted, and the barbarity of the teacher towards him increased. The good curate was too poor to afford him pecuniary assistance; but he helped him in the best way he could, and kept a constant friendly eye upon him. At this time famine and fever began to rage in the parish; most of the wealthy farmers who formerly befriended him had emigrated: every day became darker and darker. At last the poor boy caught the fever himself, and on the first symptoms appearing, he was immediately driven from the school by its inhuman master. In this condition none of his schoolfellows would take him home, and so he wandered in the fields, until at length he fell down exhausted and overpowered. It was midsummer, and a few mowers, who were eating their dinner near the place, ran up and, recognising 'the 'poor scholar,' put their heads together and resolved to build a shed for him in the field —

' "No one will take him in, for fraid o' the sickness. Why, I'll tell you what we'll do: let us shkame the remainder o' this day off o' the Major, an' build a shed for him on the road-side, just against the ditch. It's as dhry as powdher. Then we can go through the neighbours, an' get them to sit near him time about, an' to bring him little *dhreeniens* o' nourishment."

' "Divil a purtier! Come thin, let us get a lot o' the neighbours, an' set about it, poor bouchal. Who knows but it may bring down a blessin' upon us, aither in this world or the next."'

We pass over the adventures about the fever shed, with their mixture of roguish fear and tenderness, thoroughly Irish throughout. Through the care of the labourers — the curate was laid up himself at the same time — Jemmy recovered, and, as soon as he was able, again sought the school. His presence was hailed by his schoolfellows with delight, which so irritated the unfeeling tyrant that he assailed the delicate boy with the most opprobrious language, and, on his resenting this in a becoming manner, beat him unmercifully. Jemmy now turned his steps to the house of his old friend the curate, who, on hearing the account of the schoolmaster's conduct, immediately expressed his determination to see Colonel B. on the next day in company with his young client. The Colonel, by the way, had just returned from the Continent, and, having lately succeeded to another large and unencumbered estate, was now completely out of the clutches of his agent. The Poor Scholar was introduced to him, and the simple history of his father's misfortunes,

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and of his son's endeavours and trials, backed by the urgent and influential appeals of the curate, opened at once the eyes and the heart of the high-minded and generous man. His indignation against the schoolmaster, and far more against his own agent—of whose conduct he only then heard the first authentic account—was equalled by the kindly interest which he manifested in the young sufferer before him. The result was that Jemmy was placed at a respectable boarding school, with a promise that the expenses of his future education, until his entering the priesthood, would be defrayed by the Colonel. Not long after this interview, the Colonel set out to visit his old estates, with a determination to sift the administration of 'Yallow Sam,' M'Evoy's case especially, to the bottom, and to award ample justice to all parties. The investigation which took place is interesting, but too long to quote, and too full of detail to bear contraction. The result may be easily conjectured: the agent was discarded; M'Evoy was restored to his old farm, having heard from the Colonel's own lips of the happy fortune of his darling son; the Colonel himself became on the spot the very idol of his tenantry, and

'His address to Carson soon got among the assembled tenantry, and a vehement volley of groans and hisses followed the discarded agent up the street.

'"Ha! bad luck to you for an ould villain! You were made to hear on the deaf side of your head at last! You may take the black wool out o' your ears now, you rip? The cries and curses o' the widows an' orphans that you made and oppressed has ris up agin you at the long run! Ha! you beggarly nager! .... Three groans for Yellow Sam, the extortioner! A short course to him! Your corners's warm for you, you villain!"'

The maledictions and blessings of the old Irish peasantry, we may remark in passing, are often of the most imaginative kind, and exhibit that strange mixture of strong passion and playfulness, of the solemn and the ludicrous, which enters so largely into the Irish character, and presents such an inexplicable riddle to those who are entirely strangers to it. Thus, on one hand, 'Divil scald his tongue out! Hell bellows the sowl out of him,' &c. &c.: on the other hand, 'May the heavens be his bed this 'night! May every hair on his head be a mowld candle to light 'him to glory,' &c. &c.

The following is the account of M'Evoy's interview with his own family, after his return, on the evening of that eventful day:—

'At length, he was seen coming slowly up the hill; the spades

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were thrown aside, and the whole family assembled to hear "what was done."

'The father entered in silence, sat down; and after wiping his brow, and laying down his hat, placing his staff across it on the floor, he drew his breath deeply.

'"Dominick," said the wife, "what news? What was done?"

'"Vara," replied Dominick, "do you remember the day — fair and handsome you wor then — when I first kissed your lips, as my own darlin' wife?"

'"Ah, avourneen, Dominick, don't spake to me of them times. The happiness we had then is long gone, acushla, in one sense."

'"It's before me like yestherday, Vara, — the delight that went through my heart, jist as clear as yestherday, or the blessed sun that's shinin' through the broken windy on the floor there. I remember, Vara, saying to you on that day — I don't know whether *you* remember it or not — but *I* remember sayin' to you, that if I lived a thousand years, I could never feel sich happiness as when I first pressed you to my heart as my own wife."

'"Well, but we want to hear what happened, Dominick, achora."

'"Do you remember the words, Vara?"

'"Och! I do, avourneen. Didn't they go into my heart at the time, an' how could I forget them? But I can't bear, somehow, to look back on what we wor then, bekase I feel my heart brakin', acushla!"

'"Well, Vara, look at me. Amn't I a poor wasted crathur now, in comparishment to what I was thin?"

'"God he sees the change that's in you, darlin'; but sure t'wasn't your fau't or mine either, Dominick, avillish!"

'"Well, Vara, you see me now — I'm happier — before God, I'm happier, a thousand degrees, than I was thin. Come to my arms, asthore macree — my heart's breakin' — but it's wid happiness — don't be frightened — it's wid joy I'm sheddin' these tears! Jemmy is livin' an' well, childhre, — he's livin' an' well, Vara — the star of our hearts is livin' an' well an' happy! Kneel down, childhre — bend before the great God, an' thank him for his kindness to your blessed brother — to our blessed son. Bless the Colonel, childhre; bless him whin you're down, Protestant and all as he is. Oh! bless him, as if you prayed for myself, or for Jemmy, that's far away from us."

'He paused for a few minutes, bent his head upon his hands as he knelt in supplication at the chair, then resumed his seat, as did the whole family, deeply affected.

'"Now, childhre," said he, "I'll tell yez all; but don't any of you be so poor a crathur as I was to-day. Bear it mild and asy, Vara, acushla; for I know it will take a start out of you. Sure we're to go back to our own owld farm. Ay, an' what's more! — oh, God of heaven bless him! — what's more, the Colonel is to stock it for us, an' to help us; an' what's more, Yallow Sam is *out!* OUT!!"

'"Out!" they exclaimed, "Jemmy well, an' Yallow Sam out! Oh, father, surely"——

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'"Now behave, I say. Ay, an' never to come in again. But who do you think got him out?"

'"Who?—why God he knows. Who *could* get him out?"

'"Our son, Vara—our son, childhre! Jemmy got him out, an' got ourselves back to our farm. I had it partly from the noble Colonel's own lips, an' the remainder from Mr. Moutray, that I met on my way home. But there's more to come: sure Jemmy has friends aquil to the Colonel himself; an' sure he's at a Catholic boordin'-school, among gintlemen's childhre; an' in a short time he'll be a priest in full ordhers."'

The conclusion of the story will not bear to be told in other words than those of the author. The journey homewards of the poor scholar, after his ordination, his interview with the dying farmer who had treated him so kindly on his first journey, and his meeting with his parents and brothers and sisters, make one unbroken strain of soft sweet pathos, like the burthen of an old Irish melody, like the holy and happy decline of a holy and happy life—the sunshine of the better world falling on the sorrows of this, mellowing and brightening them.

We must here close our sketches and extracts. The stories of 'Peter Connell' and 'Tubber Dag, or the Red Well,' belong, in a great measure, to the class to which we have referred the 'Poor Scholar;' and, though inferior, are yet excellent, and in some scenes exquisitely touched. 'Valentine M'Clutchy'—bating the coarse passages and the *sermonising*—and 'Fardorougha, or the Miser,' are the best among Mr. Carleton's longer and more ambitious, but, we think, not more successful, productions. Very little, if at all, below these in merit, are 'The Black Prophet' and 'The Tithe Proctor.' We, as has been already intimated, contemplate the merits of these tales and novels principally by the standard of fidelity to Irish character and Irish manners. If he could be induced to avoid for the future the blemishes which we have, with no unfriendly purpose, noted at the commencement of this Article, and would expurgate his already published works on the same principle and with an unsparing hand—putting into an Appendix or Notes, if not absolutely eliminating, the strictures and reflections already alluded to, whether uttered in his own proper person or through the lips of his interlocutors—we have no doubt that he would win for himself an extent of solid fame far beyond what he has already acquired, though not beyond what he even now deserves.

Since the preceding Article was put in type Mr. Carleton has given to the public a new Irish story, in two little volumes,—

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'The Squanders, of Castle Squander.' It contains more of the faults already pointed out, and fewer of the characteristic excellences, than any one of his preceding works. The incidents are little else than a rehearsal of portions of 'Valentine M'Clutchy,' and of some of his 'Traits and Stories.' Several of the more interesting characters, too, are old acquaintances, and we see very little of them — they are so completely kept in the back ground by the thick heavy folds that hang over the front of the stage. We get a brief glimpse here and there of true Irish life: the rest is all about tenant-right and a multitude of other topics connected with politics and political economy. The volumes resemble certain editions of the Greek and Latin classics, in which a line or two of text at the head of the page rests on two long massive columns of notes. Or rather, they resemble a drama, which is interrupted every ten minutes with a sermon of half an hour's length. The sermons, moreover, are neither very well written nor very well seasoned, and they swarm with small inaccuracies in statements of fact. Why will Mr. Carleton persist in spoiling his stories — to say nothing of the *needless* offence given to a large portion of his readers — by dissertations on topics which any fourth-rate newspaper correspondent would handle much better than he has done, leaving that field in which he stands without an equal among the living or the dead? We write in sorrow, not in anger. He is himself a true Squander of Castle Squander, neglecting the fine gifts with which nature has endowed him, and feeding on garbage and offal. We trust that this is the last of the prodigal: for there can be nobody, who will rejoice more heartily than we ourselves in seeing him return from the lecture room and the debating club to his true home in the heart and soul and every day life of the Irish peasant. We hope to meet him soon, reclaimed and 'himself 'again.'

ART. V. — 1. *Report of the General Board of Health on the Epidemic Cholera of* 1848 *and* 1849. Presented to both Houses of Parliament by command of Her Majesty. London: 1850.

2. *General Board of Health Report on Quarantine.* Presented to both Houses of Parliament by command of Her Majesty. London: 1849.

THOSE great modern innovators, the steam-boat and the railway, fix attention upon all the impediments which obstruct the progress of the traveller, or check the free com-

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mercial intercourse of nations. Of these none is more conspicuous, none more vexatious, than quarantine; while the successful invasions of every country in Europe and America by Asiatic cholera, despite all the opposition presented by quarantine laws, lazarettos, and *cordons sanitaires*, have given to the whole civilised world, in our own day, a very significant intimation of the impotence of those laws to resist the incursions of epidemic disease. And our Chancellor of the Exchequer himself, in his manifesto of June 2nd, has proclaimed that 'the spirit of the 'age tends to free intercourse; and no statesman can disregard 'with impunity the genius of the epoch in which he lives.'

The system of quarantine is to be vindicated or condemned by *facts*, of the truth or falsehood of which every shrewd man of the world is as competent a judge, and upon which, if true, he is as capable of reasoning correctly as if he were a member of the medical profession. Nay, without adopting the sarcasm of the great anatomist, that 'the ancients endeavoured to make 'physic a science and failed; the moderns have made it a trade 'and succeeded,' we must not forget that, in this country, the office of the physician is not to prevent but to cure disease; and that, accordingly, the art of preserving health and preventing disease is taught in no regular course of lectures at any of the great schools of medicine in the United Kingdom. Experience, indeed, teaches us that professional men are not the most fortunate advocates of professional reforms. For a quarter of a century we have witnessed successive Chancery reformers, and professional commissions of inquiry, labouring in unsuccessful attempts to remove the inveterate abuses of our Courts of Equity; they made demonstrations, indeed, and skirmished with the outposts; and new judges were created, and new courts were opened: but it was not until the administration of Lord John Russell appointed a commission, which included among its members two unprofessional men of vigorous minds, great sagacity, and extensive knowledge, whose feelings and sympathies were all with the client and against the system, that the stronghold of injustice and chicane was forced to capitulate, and the gigantic abuses of the Master's Office were surrendered. So has it happened with the question under consideration; successive governments have followed with undeviating uniformity the notable precedent established by a celebrated club, of which it is recorded that the venerable members having occasion to complain of the quality of their wine and of the size of the measures in which it was served to them, appointed a committee to investigate the grievance and devise a remedy, of which committee they nominated the landlord of the tavern where they held their meet-

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ings to be the chairman, and his waiters to be the members. In like manner, the most unfortunate circumstance connected with the investigation of questions respecting the origin and prevention of epidemic diseases, is, that governments have been in the habit of relying implicitly on the authority and advice of persons employed in quarantine departments; although it is manifest that the official instincts, the prejudices, and the self-interest of such persons utterly disqualify them from giving a sound opinion on the subject. Nor are instances wanting, even in recent times, where a Report, in which loose statements of events in remote places are so manipulated as to present a plausible *primâ facie* case of an epidemic having been imported through disregard of the principles of quarantine, has gained for its author the patronage of that department, and some mark of distinction, or some lucrative preferment in the public service.

This subject, however, being now happily emancipated from the trammels of a purely professional question, is no longer to be discussed upon merely technical grounds; and the time having arrived when it cannot fail to receive at the hands of statesmen and legislators that attention which its importance entitles it to demand, we shall endeavour to present the case fairly before our readers upon its practical merits, and to disabuse the public of some of those professional fallacies upon which has been constructed a system not less repugnant to the dictates of humanity than injurious to the interests of commerce—a system utterly powerless to arrest the progress of epidemic disease, but most powerful to multiply its victims and aggravate its horrors. The constitution of the General Board of Health, whose Reports upon Quarantine have drawn our attention to this subject, has been highly favourable to an enlightened, disinterested, and searching investigation of the question; for, while medical science was ably represented there, the majority of its members, being unprofessional, had nothing to unlearn; unfettered by the traditions of the schools, and unbiassed by professional prejudices, their feelings and sympathies were naturally with the patient and against the unchristian edict which said to him—'Thou art sick, and we visit thee not; thou art in prison, and we 'come not unto thee.' And, accordingly, their Reports present a favourable contrast to most of the disquisitions on the subject so long as it was monopolised by medical writers, whose treatises commonly betray a lamentable ignorance of the most obvious rules of evidence, and a want of inclination or of ability to analyse the testimony by which statements of occurrences at distant places are supported. Loose general assertions by ignorant or interested people, and vague hearsay rumours, which no

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court of justice would listen to for an instant in any question involving property of the most inconsiderable amount, are by an unreasoning credulity, which is perfectly incomprehensible in members of a learned profession, accepted without investigation or inquiry as indisputable facts, and are published and argued upon as conclusively proving the truth of doctrines upon which the health and the lives of whole communities depend. We have therefore perused with less surprise than shame the advice which, so recently as the year 1831, was addressed to the Executive Government by the most eminent physicians of London; and which was adopted by the Privy Council, and proclaimed to the public by Order in Council on the 20th of October in that year, when the steady march of epidemic cholera from Asia over the continent of Europe towards our own shores, warned us of the approaching danger at the same time that it demonstrated the utter futility of quarantine regulations, by overleaping every barrier which had been interposed to stop its progress, even in countries whose governments could command all the machinery necessary to execute such despotic regulations with all the rigour and precision of military discipline. The recommendations of this venerable body, true to the traditionary lessons taught in the schools, and blind to the lessons of experience taught by the events which were passing around them, proved that practically medical science had in this respect made no progress for upwards of two centuries; for they actually revived, and even surpassed, the barbarous counsels which prevailed in the days of King James the First, who inaugurated his reign in England by an 'Act for the charitable 'Relief and ordering of Persons infected with the Plague,' whereby, after reciting that 'persons infected being commanded 'to keep their houses, or otherwise separate themselves from 'company, do notwithstanding very dangerously and disorderly 'misdemean themselves,' it was enacted, 'that if any person in-'fected, or being in an infected house, shall be commanded to 'keep his house and shall disobey, offering and attempting to 'break out and go abroad or to resist, and going abroad and 'resisting such keepers and watchmen as should be appointed 'to keep them in, it should be lawful for the watchmen, &c. 'with violence to enforce them to keep their houses, and if any 'hurt come by such enforcement to the disobedient persons, the 'keepers, watchmen, and their assistants shall not be impeached 'therefore.'* The Rules and Regulations, bearing date, College of Physicians, October 20th, 1831, 'for the purpose of prevent-

* Stat. 1 Jac. 1. c. 31. ss. 1. and 6.

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'ing the introduction and spreading of the disease called cholera 'morbus in the United Kingdom,' not only fully adopted the principle of this arbitrary statute, but sought to extend the application of its principle to whole communities instead of confining it to individual cases. They were signed Henry Halford, President of the Board; and the Board comprised the following members:—Dr. Maton; Dr. Turner; Dr. Warren; Dr. MacMichael; Dr. Holland; Dr. Seymour (Secretary); Dr. Sir James MacGrigor, Director of the Medical Department of the Army; Dr. Sir William Burnett, Director of the Medical Department of the Navy; Dr. Sir William Pym, Superintendent-General of Quarantine; together with the Controller of the Navy, and the Deputy Chairman of the Board of Customs. After declaring that 'the measures of external precau-'tion for preventing the introduction of the cholera morbus BY 'A RIGOROUS QUARANTINE HAVE HITHERTO BEEN FOUND 'EFFECTUAL,' these learned persons proceed to enunciate certain arbitrary regulations, founded upon this bold but incautious assumption, which are too numerous and minute to be given in detail; but we shall select some of the more vigorous measures which were proposed by them to the Executive Government for adoption; and which were ordered by the Privy Council to be 'published in the "Gazette," and circulated in all the prin-'cipal ports, creeks, and other stations of the United Kingdom, 'with a view that all persons may be made acquainted there-'with and conform themselves thereto.' They claim a close affinity to the legislation of the olden time.

'To carry into effect the separation of the sick from the healthy, it would be very expedient that one or more houses should be kept in view in each town, or its neighbourhood, as places to which every case of the disease, as soon as detected, might be removed, provided the family of the affected person consent to such removal; and in case of refusal, a conspicuous mark ("SICK") should be placed in front of the house, to warn persons that it is in Quarantine; and even when persons with the disease shall have been removed, and the house shall have been purified, the word "CAUTION" should be substituted, as denoting suspicion of the disease; and the inhabitants of such house should not be at liberty to move out, or communicate with other persons, until, by the authority of the local board, the mark shall have been removed.'

'It is recommended, that those who may fall victims to this most formidable disease should be buried in a detached ground in the vicinity of the house that may have been selected for the reception of cholera patients. By this regulation it is intended to confine as much as possible every source of infection to one spot; on the same principle, all persons who may be employed in the removal of the sick

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from their own houses, as well as all those who may attend upon cholera patients in the capacity of nurses, should live apart from the rest of the community.'

'Wherever objections arise to the removal of the sick from the healthy, or other causes exist to render such a step not advisable, the same prospect of success in extinguishing the seeds of the pestilence cannot be expected. Much, however, may be done, even in these difficult circumstances, by following the same principles of prudence, and by avoiding all unnecessary communication with the public out of doors; all articles of food or other necessaries required by the family should be placed in front of the house, and received by one of the inhabitants of the house after the person delivering them shall have retired. Until the time during which the contagion of cholera lies dormant in the human frame has been more accurately ascertained, it will be necessary, for the sake of perfect security, that convalescents from the disease, and those who have had any communication with them, should be kept under observation for a period of not less than twenty days.'

'All intercourse with any infected town and the neighbouring country must be prevented by the best means within the power of the magistrates, who will have to make regulations for the supply of provisions.'

This regulation calls to mind the exploit commemorated by Milton 'of that gallant man who thought to pound up the 'crows by shutting his park gate.'

'OTHER MEASURES OF A MORE COERCIVE NATURE MAY BE RENDERED EXPEDIENT FOR THE COMMON SAFETY, if unfortunately so fatal a disease should ever show itself in this country in the terrific way in which it has appeared in various parts of Europe; AND IT MAY BECOME NECESSARY TO DRAW TROOPS OR A STRONG BODY OF POLICE AROUND INFECTED PLACES, SO AS UTTERLY TO EXCLUDE THE INHABITANTS FROM ALL INTERCOURSE WITH THE COUNTRY; AND WE FEEL SURE THAT WHAT IS DEMANDED FOR THE COMMON SAFETY OF THE STATE WILL ALWAYS BE ACQUIESCED IN WITH A WILLING SUBMISSION TO THE NECESSITY WHICH IMPOSES IT.'

That regulations, such as these, which are alike contemptible in the eyes of science and opposed to every sound principle of legislation, should be advocated by superintendents of quarantine and their hangers-on, would excite no surprise; but that they should have been deliberately promulgated by a body of English physicians, among whom, besides the President of the College himself, were some of the most eminent of their day, is a phenomenon worthy to be recorded by the historian who marks the scientific progress of a nation.

The state of mind which admitted of incredulity respecting the influence of local causes in the propagation of this class of diseases, was of course incompatible with an appreciation of the

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true value of such preventive measures as are founded on a knowledge of that influence. No sooner, however, was the Order in Council published which contained such outrages upon common sense and common humanity, as actually to contemplate the drawing 'troops or a strong body of police around infected 'places'—Liverpool, Manchester, Leeds, Hull, Bristol, Sunderland, or London itself, for instance—'so as utterly to ex-'clude the inhabitants from all intercourse with the country,' than its reception showed that, if ignorant of nothing else, its authors were profoundly ignorant of the state and the strength of public opinion in their own country. They were quickly convinced, that laws, which might have been 'acquiesced in 'with a willing submission' in the reign of King James the First, were simply impossible in the reign of King William the Fourth. Accordingly, the subject being more fully and more closely investigated, the opinions were revised and the recommendations considerably modified. In less than a month, the public were assured, by a circular issued from the Council Office on the 14th of November, 1831, that 'with regard to 'precautions as to intercourse with suspected, or really infected 'persons or places, the Board are confident that good sense and 'good feeling will not only point out but *morally* establish, *as* '*far as may be practicable*, the necessity of avoiding such com-'munication as may endanger the lives of thousands. But they 'STRONGLY DEPRECATE ALL MEASURES OF COERCION FOR 'THIS PURPOSE WHICH, WHEN TRIED UPON THE CONTI-'NENT, HAVE BEEN INVARIABLY PRODUCTIVE OF EVIL.' But so capricious is the exercise of arbitrary power, and so reluctant is poor human nature to withdraw altogether from error which has become habitual, that the measures which had been abandoned on shore as 'invariably productive of evil,' were, by a disgraceful inconsistency, retained on the water, where they could be enforced without encountering the universal opposition of the public at large. Thus at the very same time that the intercourse of Sunderland and Seaham with all other parts of Great Britain, by land was perfectly free and uninterrupted, so that even the attendants upon the sick and the dying might and did remove to any part of the country by land without let or hindrance, intercourse by sea was interdicted; and the very colliers arriving in the Thames were subjected to a rigid quarantine of fifteen days, from which the day and night coaches, with their full complement of passengers, were altogether exempted. Such were the counsels which prevailed during the cholera epidemic of 1831–2. 'At that time,' as is justly remarked in the First Report of the Metropolitan Sanitary Com-

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missioners*, 'not only had no knowledge been acquired by 'experience of the true character of this disease, but nothing 'was known of the real condition of the classes which proved 'to be its first and easy victims, nor of the state of the localities in which they lived. The metropolis of the poor has 'nothing in common with the metropolis of the rich, and as the 'map of London exhibits no trace of the lanes and alleys of the 'poor, so the very names of these places would at that time 'have sounded as strange to the inhabitants of our great 'thoroughfares and squares as the names of the streets of a 'foreign country.' But the very ignorance and incapacity which were manifested on the occasion of that epidemic, coupled with the opportunities which its outbreak in different places afforded to intelligent people for observing facts with their own eyes — particularly among the classes and in the localities where the mortality was greatest — shook their faith in the vulgar error of contagion, and caused them to look elsewhere for the true sources of pestilence. Public attention, so long abused by idle fables of epidemic fevers imported from abroad into low lodging-houses in the foul clothes of seafaring men frequenting those hotbeds of disease, was at length awakened to the pestilential condition of the districts themselves in which such lodging-houses are situate; where diarrhœa and scarlet fever are ever present to sacrifice youth, typhus manhood, and where, when that epidemic influence prevailed, cholera invariably found its victims of every age. The epidemic, however, having spent itself, subsided; nor were the public taught, by any overt act or even by any proposal of reform, to believe that the learned persons themselves, to whom the guardianship of their health had been confided, had turned the knowledge which they might have acquired during the progress of the disease, to any practical account: they still clung to the doctrine that diseases are imported and spread by contagion: no antiquated opinions were retracted; nor were any remedial measures suggested founded on the hypothesis that the low sanitary condition of a population — as bad drainage, ill-ventilated and overcrowded dwellings, offensive sewers, unwholesome water, and the thousand other kindred abominations which afflict the poor — could exercise any perceptible influence in producing and fostering epidemic diseases. 'But quarantine pays no regard to these conditions. 'Blindly intent on accomplishing an impossible object, it overlooks the circumstances on which the existence and extension 'of disease really depend; and after the experience of centuries

* P. 6.

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'has shown the inutility of the securities it offers, it still proposes to go on reposing implicit confidence in them and in 'them only.' (*Report on Quarantine*, p. 16.) It was not until six years afterwards, namely, in 1838, that men's minds were strongly directed to these local influences. In that year the deplorable sanitary condition of large masses of the population in London was forcibly described by Dr. Southwood Smith, in a Report to the Poor Law Commissioners on the physical causes of sickness and mortality to which the poor are particularly exposed, and which are capable of removal by sanitary regulation. This and similar Reports by Dr. Arnott and Dr. Kay (now Sir J. Kay Shuttleworth) on the same subject, were published by the Poor Law Commissioners in their Reports of 1838 and 1839. The facts disclosed by these Reports necessarily attracted the notice of Parliament, and on the motion of Mr. Slaney, the late very useful member for Shrewsbury, a Select Committee was appointed by the House of Commons in 1840, to inquire into the circumstances affecting the health of the inhabitants of large towns and populous districts, with a view to improved sanitary regulations for their benefit.

The subject had now acquired such importance that by special direction of the Home Secretary the Secretary to the Poor Law Board was, in 1842, instructed to report fully upon the sanitary condition of the whole labouring population of Great Britain. His carefully revised and elaborate Report justly produced a powerful impression on the minds of all thinking men, and had great influence in preparing the way for sanitary legislation: it was followed in 1844 by the appointment of Commissioners to inquire into the present state of large towns and populous districts, and the causes of disease among the inhabitants; and in 1847, by the appointment of Commissioners for inquiring whether any and what special means may be requisite for the improvement of the health of the metropolis. The frightful disclosures contained in these several reports, and particularly in the valuable report of the Metropolitan Sanitary Commissioners, proved that all these classes of epidemic or zymotic diseases invariably prevailed in the same localities, ravaged the same classes, and were dependent for their severity and extension upon the same sanitary conditions. A general conviction followed, when the cholera epidemic of 1848-9 was impending over us, that the preservation of the public health by removing the local causes of pestilence was one of the duties of Government which had been too long neglected. At the end of the Session of 1848 the Public Health Act, and the Nuisances Removal and Diseases Prevention Act (which had been introduced by Lord Carlisle)

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were placed on the Statute Book; and a General Board of Health was constituted to administer their provisions. But, unfortunately, this favourable opportunity for revising the Quarantine Laws, and for placing the whole sanitary administration of the country in the hands of one efficient and responsible body, was lost.

When this new Board was appointed, comprising as it did the names of men who, having been most active in conducting the previous inquiries, were, by long study and accurate observation, completely masters of the subject in all its details, their attention was diverted from the duties which in ordinary times would have devolved upon them, by finding themselves forced to grapple with the epidemic of 1848, now threatening to spread itself over the country. Happily the knowledge acquired in their previous inquiries enabled them to encounter with promptitude, vigour, and success the difficulties of the crisis. They knew both the places where and the classes among which the disease would inevitably appear, if it appeared at all; they warned the local authorities of the dangers which menaced them; taught them to estimate the exigence of the moment, and the value of that moment well employed; instructed them in the means of averting these outbreaks, and if such means should be neglected, and the outbreak should occur, taught them how it could be suppressed. The complete success which attended the adoption of the measures recommended is shown in the Report on Cholera, as exemplified in the Metropolis, in Glasgow, in Bristol, in Dumfries, in Paisley, and in other places. The result at the same time furnished absolute demonstration of the soundness of the principles upon which the Board was acting. While they were engaged in these useful labours, and endeavouring to instruct the people in the true causes of these outbreaks, and in the true means of preventing them, another department of the executive made known its existence by placing in quarantine all ships, British and foreign, coming from Hamburgh or any other suspected port; and these needless severities were continued until the cholera, with its customary disregard for the orders placing it in quarantine, made its appearance in different parts of the United Kingdom. As was anticipated and predicted, it returned to the same countries, to the same cities and towns, and even to the same streets, houses, and rooms, which it ravaged in 1832. It is true that many places were attacked in the recent epidemic which had escaped in the former; but very few indeed that suffered then, escaped now, except in some few instances in which sanitary improvements had in the meantime been effected. In some instances

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it reappeared on the very spot on which it first broke out sixteen years before. The first case which occurred in the town of Leith, in 1848, took place in the same house and within a few feet of the very spot from whence the epidemic of 1832 commenced its course. On its reappearance in the town of Pollokshaws, it snatched its first victim from the same room and the very bed in which it broke out in 1832. Its first appearance in Bermondsey was close to the same ditch near which the earliest fatal cases occurred in 1832. At Oxford, in 1849, as in 1832, the first case occurred in the county jail. This return to its former haunts has been observed in innumerable other places. The same has been the case abroad. At Gröningen, in Holland, the disease in 1832 attacked in the better part of the city only two houses, and the epidemic made its first reappearance in these two identical houses in the visitation of 1848. In numerous instances medical officers, who had attended to the conditions which influence its localisation, pointed out, before its return, the particular courts and houses on which it would seize. 'Before cholera appeared in the 'district,' says the medical officer of the Whitechapel Union, speaking of a small court in the hamlet, 'I predicted that this 'would be one of its strongholds.' Eighteen cases occurred in it. Before cholera appeared in the district, the medical officer of Uxbridge stated that if it should visit that town it would be certain to break out in a particular house, to the dangerous condition of which he called the attention of the local authorities. The first cases that occurred broke out in that identical house. In a place called Swain's Lane, in the healthy village of Highgate, near London, there is a spot where the medical officer felt so confident that the disease would make its appearance, that he repeatedly represented to the authorities the danger of allowing the place to remain in its existing condition, but in vain. In two houses on this spot, six attacks and four deaths took place; yet there was no other appearance of the disease, during the whole epidemic, in any other part of the village, containing 3000 inhabitants.* 'Before the appearance of the disease in 'this country,' say the Board of Health, 'we warned the local 'authorities that the seats of the approaching pestilence would 'be the usual haunts of other epidemics.' This conviction was founded on evidence to which subsequent experience gave the force of demonstration; for, as the Board had anticipated and predicted, the usual haunts of typhus and diarrhœa in ordinary seasons actually became, when the epidemic influence aggra-

* Report on Epidemic Cholera, pp. 18, 19.

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vated the form of these diseases, and for the time banished almost every other form of disease, the chief abiding places of cholera.

We will not weary our readers with the instances cited from Bethnal Green, from Rosemary Lane, Whitechapel, from Plymouth, from Manchester, from Barnard Castle, from Doncaster, from Wolverhampton, from Alnwick and Canongate, from Gainsborough, Burslem, Nantwich, Clitheroe, Penzance and elsewhere, which establish the fact beyond the possibility of doubt.

The disease often attacked definite spots in the districts which it invaded, confining its ravages to particular streets, the adjoining streets escaping; and even to one side of a street, scarcely a single case occurring on the opposite side. Thus at Rotherhithe, in a street where numerous deaths occurred, the attacks were almost entirely confined to one side of the street, occupied by several respectable private families, the disease appearing in only one house on the other side. 'The disease,' says the medical officer of the parish, 'passed right through and 'across several of the streets like a cannon ball.' At Bedford two streets are named as having each suffered on one side severely, the other nearly escaping. At Bristol, and in several other towns, the same fact was observed, and it has been noticed in foreign cities, particularly at St. Petersburgh. In this respect, also, cholera bears a marked resemblance to typhus, yellow fever, and plague. While the pestilence thus passed over adjoining spots, it sometimes attacked places in groups; that is, it seized on a certain number of courts, alleys, or streets, decimated their inhabitants, then ceased, and broke out in a similar manner, often at the opposite extremity of the district, occasionally returning again, after an interval, to the first locality. In this manner the occurrence of six, eight, or even more deaths was not uncommon in a particular house; but such a house did not form a centre from which the disease spread to neighbouring houses, and thence over the district. On the contrary, simultaneously with the attack in this particular house, or as soon as the work of death had been accomplished in it, the disease reappeared at a considerable distance, the intervening houses escaping. The history of its progress from Asia to Europe, and through the several countries of Europe, shows that it advanced not by a strictly continuous, progressive, and uninterrupted course; but that at one time it sprang at a single bound over a vast tract of country, while at another time its course was retrograde. Its progress through a city was similar, there being in general no regular continuity in

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its course, but its progress consisting in a succession of local outbreaks. Hence in the course of the house-to-house visitation, which will be described hereafter, the disease having disappeared from one district, the medical staff were obliged to follow it to another, and thence to a third, and so on from district to district till the whole local epidemic seizure was at an end.

This law of the disease, that it spreads not by continuity of time or place, but occurs at irregular periods, and extends by a succession of local outbreaks, is decisive proof that it is propagated not by the contact of one infected person with another, but by a general influence operating on particular localities and persons, according to certain localising conditions and predisposing causes. We have not space to detail the horrible particulars, contained in the Report on Cholera, of the localising conditions and predisposing causes which existed in the spots where the epidemic raged with its greatest virulence. The effects of over-crowded, ill-constructed, and badly ventilated dwellings were evidenced by the outbreak of cholera in the workhouse at Taunton, where in the course of one week 60 of the inmates were swept away; in the lodging of the hop pickers at East Farleigh, near Maidstone, where the inmates were so huddled together that each individual had for respiration about 50 cubic feet of air, and where in a population of about 1000, within four days of the first seizure there occurred upwards of 200 cases of diarrhœa, 97 of developed cholera, and 47 deaths. Precisely similar was the onslaught of cholera on the pauper children at Tooting. But the most striking effects of over-crowding are seen in climates where the conditions of disease are the most intense, as in India, where in the native town of Kurrachee, consisting of ill-ventilated mud hovels, 1 inhabitant in 10 died of cholera; whereas of the same class of persons inhabiting the Bazaar, which was well constructed and ventilated, the proportion of deaths was only 1 in 30; while in the over-crowded jail at Hyderabad, of 400 prisoners 96 were cut off in 48 hours.

The baleful effects of an atmosphere contaminated by the emanations arising from filth accumulated in and about dwellings are now so universally acknowledged that we pass over the instances in which such localities are proved to have been the foci of epidemic disease. Such were — manufactories of artificial manure; the noxious animal effluvia emanating from bone-boiling establishments; offensive sewers and piggeries; grave-yards; foul canals and ditches; want of drains, bad drains, and sewers unskilfully constructed; unwholesome water; and all the impurities which pervade those parts of any town where sanitary

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measures are neglected, or, as too frequently happens, are so badly carried into effect as to increase the evil they are intended to remedy. The evidence which traced the disease to these causes is complete and incontrovertible. But the case does not rest here. As we have shown that where sanitary precautions are neglected, there epidemic diseases will prevail, we shall proceed to complete the demonstration by showing that the converse is equally well established, and that where sanitary measures have been applied, there epidemic diseases will be avoided. Large groups of people who were living, during the whole course of the epidemic, in the localities where it was raging, and who belonged to the classes that were the chief sufferers, altogether escaped.

'Among the most remarkable of these exemptions were the establishments provided in the metropolis for lodging the poorer classes, founded for the express purpose of proving the influence of sanitary arrangement in preventing excessive sickness, and improving the physical well-being of the inhabitants.

'In George Street, Bloomsbury, and Charles and King Streets, Drury Lane, there are establishments for lodging single men, in which, though the sanitary arrangements are by no means perfect, the inmates are exempt to a considerable extent from the evils of bad drainage, accumulations of filth, over-crowding, and personal uncleanliness.

'These houses contain 210 inmates, among whom, with one exception, there was no case of cholera, the exception being an old man of intemperate habits, who rarely tasted animal food. All the other inmates escaped. It is remarkable that in George Street there were ten and in Charles Street two cases of diarrhœa, thus demonstrating that the epidemic influence was upon them, but that the improved sanitary conditions under which they were placed enabled them to resist it. In the house in King Street there was no case either of cholera or diarrhœa.

'In the Lower Pentonville Road there is a group of buildings consisting of 24 houses, containing between 80 and 90 inhabitants. Here the sanitary conditions are upon the whole better than those of the establishments in Bloomsbury and Drury Lane, and the inmates of these houses enjoyed a complete immunity both from cholera and diarrhœa.

'In the Old Pancras Road is situated a large structure, called "Metropolitan Buildings," which is let out as separate tenements to families. It contains upwards of 500 inmates, of whom about 350 are children. This building is well drained, is kept clean, and an abundant and constant supply of water and other conveniences are provided for the inmates. Though the structural arrangements of this building admit of considerable improvement, yet its sanitary condition is far superior to that commonly found in the dwellings of the poor. A corresponding improvement has taken place in the health

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of its inmates. Taking the full period of its occupancy, its total mortality as compared with the general mortality of the metropolis, has been diminished one half, and as compared with the mortality of the worst parts of the metropolis it has been diminished two-thirds; while its infant mortality, the most delicate test of the healthfulness of a place, has been at least five times less than that of some parts of the metropolis. From its remarkable exemption from disease in general, and especially from the zymotic class of disease, notwithstanding it contained so large a proportion of infants, a confident hope was entertained that it would escape any visitation from cholera: and that hope was realised, for not a single case of cholera occurred among its inmates, and only seven cases of diarrhœa, although at a distance of between 300 and 400 yards from the building there were three deaths from cholera in one house; in an adjoining court the disease was very prevalent and mortal; the whole neighbourhood was afflicted severely with diarrhœa; and in this parish, though at some distance from this particular spot, within a space of 200 feet in length 20 fatal cases of cholera occurred.

'On board the American ship "Eagle" a sudden and violent outbreak of cholera took place precisely similar to an outbreak in a village, or the localisation of the disease in the district of a town. Here the sufferers were exclusively steerage passengers. They were over-crowded, and had no proper ventilation. There were in all 250 of these passengers, of whom a large proportion were attacked with diarrhœa, 21 with developed cholera, and 13 died. The cabin of this ship was large, commodious, clean, and well ventilated; and while the epidemic was raging in such close proximity to them, the passengers in this better conditioned part of the ship enjoyed a complete exemption not only from cholera but even from diarrhœa.

'In the Model Prison, at Pentonville, in the structure and arrangement of which important sanitary improvements have been introduced, out of an average of 465 prisoners, there was no attack of cholera and very little diarrhœa.

'Giltspur and Newgate prisons enjoyed, the former a complete, and the latter all but a complete, exemption from the disease, though situated in a district which suffered with extraordinary severity from the epidemic.

'In the House of Correction, Cold Bath Fields, in the epidemic of 1832, when the number of prisoners was 1,148, there occurred 319 cases of premonitory diarrhœa, 207 of developed cholera, and 45 deaths. At that time the drainage of the prison was defective, the sewers, which were dry-built, without mortar, had in places fallen in, and were choked with soil; and, owing to the defective structure of the drains, their contents were not carried off. Subsequently the whole sewerage of the prison was rebuilt, and, on a late examination of it, was found to be in good order. The ventilation had been improved, and a small open fire, placed in each of the day rooms, appears to have operated beneficially, by preventing cold and dampness. In the late epidemic, among 1100 prisoners, there was not a single case of cholera, and only a few cases of diarrhœa, which, by

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prompt attention, were prevented from passing into the developed form of the disease.

'Bridewell Prison, in 1832, is described as having been in a most filthy state, the dirt on the walls being merely covered with lime-wash, so that when a thorough purification took place the walls were found coated with filth to the depth of two inches; three prisoners were allowed to occupy a single cell, no attention was paid to personal cleanliness, and there was a deficiency of medical superintendence. In the epidemic of that period 12 of the prisoners were attacked with cholera, and four died. The prison is now kept clean, personal cleanliness is enforced, only one inmate is allowed in a cell, and the prisoners are under strict medical superintendence. In the late epidemic cholera raged on all sides of this prison, in houses closely contiguous, separated only by a narrow court; yet, among 90 prisoners, no case of cholera occurred, and only one case of diarrhœa, though fresh prisoners were daily brought in of the lowest class, and in the greatest state of filth.

'Attention has already been directed to the violent outbreak of cholera in the workhouse of Taunton, in which only 68 cubic feet of space was allowed to each child. In the county jail, situated in the same town, the space allowed to each prisoner ranges from 819 to 935 cubic feet; each cell is perfectly ventilated, and an equable temperature is maintained through the twenty-four hours. Every prisoner has an unlimited water supply, and personal cleanliness is strictly observed. The inmates of the jail, being thus surrounded by the appliances of health, escaped without experiencing the slightest touch of the epidemic; while,—and the contrast will excite not only the attention of the philanthropist, but also that of the statesman,—of the 276 inmates of the workhouse, no fewer than 60, or nearly 22 per cent. of the whole number, died of cholera within one week, and nearly all the survivors suffered to a greater or less extent from cholera or diarrhœa.

'Proceeding from the jail and the workhouse to the lunatic asylum, we find that Bethlem contains, on an average, 400 inmates. During the late epidemic no case of cholera occurred in this establishment, which enjoyed a similar exemption in 1832. Yet cholera prevailed extensively and severely within a hundred yards of the building. Mr. Granger states,—

'"Some years ago a particular gallery attracted the attention of "the authorities, in consequence of the inmates suffering from fever "and diarrhœa. This was the more unexpected, because the gallery "was one of the most favourably situated in the whole establishment; "it was lofty, very airy, and not at all crowded, and the patients "were of the healthiest class. Upon examination it was ascertained "that, owing to some defect in the water-closet, a leakage of the soil "had taken place beneath the floor. This was corrected; the sick-"ness ceased, and this gallery has ever since continued as healthy as "any part of the Institution."

'From the report of the resident medical officer of the asylum at Hanwell, it appears that no case of fever has occurred in that institu-

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tion, containing 961 inmates since his appointment—a period of four years, and that he has been unable to find any record of such an attack for a much longer time. There is unmistakable evidence that during the late epidemic this institution was not exempt from its influence, for 140 females were attacked with diarrhœa, 17 in one night, together with one nurse, all in the same ward, the diarrhœa being attended by great exhaustion, but none of these cases passed into the developed form of the disease, and no case of cholera occurred.

'We are next conducted to the great hospitals of the metropolis. In St. Bartholomew's Hospital, for example, 478 cases of cholera were admitted into some detached wards. The average number of ordinary patients is 500, and there are upwards of 100 female attendants; out of this large number of nurses not a single case of cholera occurred. It is stated that great attention is paid to the sanitary condition of the establishment, and that in the year preceding the late epidemic the sum of 2000*l.* was expended in improving the drainage of the hospital, which is represented as being now in a very efficient state.

'Similar exemptions are described as resulting from improvements recently introduced into St. Thomas's Hospital and Middlesex Hospital.

'Dr. Sutherland, after giving an abstract of the localising causes in the various cities and towns under his inspection, and pointing out the circumstances under which certain portions of them were exempted from cholera, sums up the result of his experience as follows:—

'"In every district which it attacked its ravages were most fatal "where the sanitary conditions were the worst. It took a smaller "number from amongst those who lived in healthier localities; and, "as a general rule, it may be stated, that those parts of our cities and "towns which careful observation would pronounce as likely to be "the most healthy, escaped almost entirely. The epidemic was no "respecter of classes, but was a great respecter of localities—rich "and poor suffered alike or escaped alike, according as they lived in "the observance or violation of the laws of their physical well-"being."'

Even when the exemption was not (as in the preceding examples) complete, numerous instances occurred in various parts of Great Britain in which marked benefit was experienced from even minor sanitary improvements. But we should abuse the indulgence of our readers by pursuing this branch of the subject further.

In every European city, as well as in the United States of America, the pestilence gave distinct warning of its approach, and intimated, by signs not to be mistaken, the severity of the impending attack. An extraordinary prevalence and mortality

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of the classes of disease which have been observed usually to precede it foretold its approach and intensity: —

'At Moscow, at St. Petersburgh, and other Russian towns, its outbreak was preceded by a general prevalence of influenza and intermittent fever, the latter in many continental cities taking the place of typhus in this country. Diarrhœa also was generally prevalent before the actual outburst. At Berlin, intermittent fever, dysentery, but especially diarrhœa, were epidemic. The same diseases, but particularly intermittent fever, scarlet fever, and influenza were prevalent at Hamburgh. In London there had been during the preceding five years a progressive increase in the whole class of zymotic diseases, amounting to an excess above the average of 31 per cent.; while the mortality from typhus, which in 1846 considerably preponderated over that of 1845, was still higher in 1847, and exceeded in 1848, by several hundred deaths, the mortality of any preceding year. The deaths from scarlet fever were also greatly above the average; and such was the mortality from influenza, that in 1847 and 1848, almost as many at the earlier periods of life perished by this disease as by the more terrible epidemic that followed it; but the malady which all along continued its course with the most steady progress was that which was the most nearly allied in nature to the approaching epidemic, namely, diarrhœa; the deaths from this disease in the five years ending with 1848 amounting to 7580; whereas in the preceding five years they were only 2828; while taking separate years in this series, the deaths were in 1848 more than seven times greater than in 1839, and nearly five times greater than in 1841. All these circumstances indicated an epidemic force extending over the metropolis and steadily increasing, which justified the prediction of the Metropolitan Sanitary Commissioners — founded on their observation of the increased crowding of the population, its state of filth, its low sanitary condition, and the actual prevalence among the people of the diseases that precede and give warning of the approach of the pestilence, — that the impending epidemic would be more severe than that of 1832; and the event fully realised the prophecy.'

These facts attest the soundness of the conclusions to which the Board of Health are led in their Report on Quarantine: —

'But there is another consideration which alone appears sufficient to show that no reasonable confidence can be placed in quarantine as a means of protection against the introduction of pestilential diseases. Epidemics are in general really present in a country, and disorder the health of the people, before they are manifested in their peculiar and recognised forms. The significant signs by which their presence is declared are commonly called premonitory symptoms. These premonitory symptoms are more than warnings — they are indications of the actual presence of the disease — evidences that it has already commenced its work.

'It has long been observed that great epidemics are usually preceded by circumstances evidentiary of a change of condition in the

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health of the people, which is commonly regarded as constituting a predisposition or susceptibility to their influence some time before they make their decided and general attack. Thus it was observed by Sydenham, who has left a record of the epidemics that prevailed in London in the middle of the 17th century, for a successive period of sixteen years, including the time immediately before and after the great plague, that a remarkable change took place in the character of fevers and other diseases, approximating the general type of disease in several striking features to the distinguishing characteristics of the pestilence at hand, some months before that dreadful malady assumed its distinct and proper shape, which it did at last quite suddenly.

'A similar observation was made and recorded by Dr. Southwood Smith with reference to the type of fever in London six months before the visitation of cholera in 1832. During the six months immediately preceding the first appearance of cholera in this country, the character of fever in London so entirely changed, that typhus, which for a long series of years had been essentially an inflammatory disease, became a disease of debility, so closely resembling cholera, that the fever into which cholera patients commonly fell could not be distinguished from the primary fever found in the wards of the Fever Hospital when cholera was at its height, which had appeared there for the first time six months previously, but which has never disappeared since.

'Before the erection of quarantine as a barrier, therefore, the disease is already in the country busily in action, vitiating the blood of the most susceptible of the population, and preparing the way for its general outbreak.' (*Report on Quarantine*, pp. 12, 13.)

The cases of cholera in London in 1848 were among the first that appeared in Great Britain. The Board of Health had made the best provision, not only to prevent its extension, but also to watch its progress; and, aware of the importance of accurately observing the earliest cases of an epidemic, with a view to judge of its mode of propagation, they made arrangements for specially investigating on the spot every case that might occur the moment it was reported. Dr. Parkes, who had had much experience of the disease in India, was charged with this duty. The first undoubted case of Asiatic cholera occurred on Sept. 28.; from that day to the 10th of October there were in all 28 cases. Dr. Parkes's report gives the following results of the inquiries into them: —

'1. These 28 cases occurred in 10 different localities.

'2. These localities were not near each other, but were situated at remote distances.

'3. In not a single instance, as far as could be traced, had the first person attacked in one locality been in contact or proximity with a person previously sick in another locality, and in some instances such contact or proximity was impossible.

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'Thus the first case occurred (September 28th) at Horsleydown; two days afterwards (September 30th) two more cases occurred simultaneously, the one at Lambeth and the other at Chelsea; on the following day (October 1st) another case occurred in the City, in Harp Court, Fleet Street; the next day (October 2nd) a case occurred in the Justitia Hulk, at Woolwich; and three days afterwards (October 5th) the disease broke out simultaneously in the Dreadnought (hospital-ship) off Greenwich, and in Spitalfields.

'A convict was seized in the Justitia hulk at Woolwich on the 2nd of October, but the convicts at Woolwich, though they work in the dockyard, are watched by armed soldiers, and are allowed no intercourse whatever with other persons, while the Justitia herself lies about three miles below Greenwich, far apart from any other vessel except the convict hospital ship, no merchant vessel anchoring at this point of the river; so that, if cholera had been raging in Woolwich, and had been prevailing in the vessels in the Thames above Woolwich, the origin of cholera in the Justitia would not have been attributable to contagion. But there was no cholera in Woolwich, or in the merchant vessels in the Thames; and the only cases in London which were anterior in point of time to this in Woolwich were those at Horsleydown, seven or eight miles distant; Lambeth twelve or thirteen miles distant, Chelsea thirteen or fourteen miles distant, and Fleet Street ten or twelve miles distant. The occurrence of contact or proximity between these individuals and the convict at Woolwich may therefore be said to have been absolutely impossible.

'So again in the Dreadnought hospital-ship a man was attacked on the 5th October. The Dreadnought, as has been just stated, lies off Greenwich three or four miles distant from the Justitia, with which it holds no kind of communication; it is also many miles distant from Horsleydown, Lambeth, Chelsea, and Fleet Street. This man had been on board the hospital-ship under treatment for another complaint a month before his seizure; he could not therefore have been in contact or proximity with any of the nine cases which occurred previous to his attack, and no sailor arriving from any infected place had been admitted with any complaint whatever for some considerable time. "By permission of the officers," says Dr. Parkes, "I took the "opportunity of inspecting the admission book, and learned that no "sailor arriving in a ship from any port in or near which cholera was "or had been prevalent had been admitted for any complaint what-"ever for a considerable time. The disease therefore could not have "been brought on board by the clothes of some non-infected indi-"vidual arriving from an infected ship."'

At Glasgow the same results were obtained:—

'The parochial surgeon of the district in which cholera first broke out states, that no communication could be traced between the individuals first affected; and that 21 cases occurred under his own charge before he saw an example of two persons *consecutively* attacked in the same house or even in the same neighbourhood, that is, in the same street or lane. In 13 instances relatives lay in the same beds

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with the sick without being affected. In 9 cases children were suckled by women labouring under the disease, and yet not one of them was attacked.

'In numerous instances a person in sound health and living habitually in a pure atmosphere, on going into an infected locality and remaining there a short time, but without seeing or holding any intercourse with an infected person, imbibed the poison, went back into the country, and there sickened of the disease and died. In no instance that has come under our notice did such an individual communicate the disease to his nurse or to any member of his family, and in no case was his return followed by the spread of the disease in the neighbourhood.'

From the 15th to the 22d of October fifteen cases of cholera occurred among the convicts in Millbank Prison. The first was that of John Fisher, who had been there upwards of five months: he had no communication with any persons except the officer of his ward, the supervisor of his pentagon, the schoolmasters, the chaplains, and occasionally other prisoners of his own ward. None of these officers had been in any district where cholera prevailed; no prisoners had been received from Woolwich, and no stores from any place known to be infected. No prisoner in the same ward, or even on the same floor of the pentagon, was afterwards attacked, and the succeeding cases occurred for the most part in the most distant and separate parts of the building. In one instance two men occupying contiguous rooms were attacked, the one two days after the other; but the two rooms did not communicate directly with each other, and the two men had no direct intercourse; but there were several other prisoners in the cells with them, none of whom were attacked.

'"In the Infirmary," says Dr. Baly, Medical Superintendent of the Prison "where there was the most chance of infection occurring, "since, although a special room is set apart for the cholera patients, "this room communicates with the other parts of the Infirmary, none "of the patients admitted for other diseases have been attacked with "cholera; and excepting the instances above referred to, the men "attacked with cholera in the pentagons have all been in different "wards, and where two cases have occurred in one pentagon this has "been even on different floors. In each of these cases it appears to "me there would be the same difficulty in accounting for the produc- "tion of the disease by contagion as in the case of Fisher. After an "unbiassed consideration of all the facts, therefore, I can but con- "clude that cholera has not shown itself to have a contagious cha- "racter in this prison."

'From the preceding evidence the conclusion is inevitable that the first cases of cholera in London, whether occurring in the metropolis generally or in particular establishments, did not originate and spread by contact or proximity of the infected with the uninfected. This

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observation is in accordance with the facts recorded with reference to plague by those who have had opportunities of observing the progress of this disease in the countries and cities in which it prevails as an epidemic, who state that on its outbreak the first cases are in like manner isolated; that they appear in localities remote from each other; and that there is no traceable communication between the persons first attacked.'—*Report on Quarantine*, p. 29.

'An attentive consideration of the course of the disease from nation to nation is not favourable to the view of its propagation by contact from person to person. But an inspection of the dates when the disease first made its appearance in the several towns and cities of this country is still more decisive against this opinion. For example, on its first outbreak in 1848 cases of it occurred, as reported to us, on the same day at Lasswade, near Edinburgh, Sunderland, and Hounslow; on another day at Falkirk, Tynemouth, and Chelmsford; on a third at Greenock, Preston Kirk, Monckland, Blantyre, Thornhill, and Cambridge, and the like instances might be multiplied to a great extent.

'In Dundee, Bristol, Liverpool, Hull, and every town in Great Britain in which the first cases were accurately observed, its invasion was similar; so that this approach by isolated attacks, at considerable distances as to place, and intervals as to time, may be regarded as one of the laws of the epidemic. The popular notion that cholera is sudden in its invasion of a place or district, is as unfounded as the former prevalent opinion that it is sudden in its attack of the individual person. Experience has refuted both these opinions, and established the very opposite fact, namely, that, at least in this country, it is gradual and even slow in its approach. And the recognition of this law is of the highest importance in a practical point of view. These isolated cases occurring in any locality during the prevalence of a general epidemic constitution, are unequivocal and certain signs that an outbreak is impending over that place. They are warnings not to be mistaken, demanding the immediate and energetic adoption of preventive measures.'

From the facts—that this disease is not sudden in its attack, that it gives warning of its approach in time for the adoption of effectual means to arrest its progress, that even where its prevalence is most extensive its presence is confined to circumscribed localities, that in those very localities the mortality is restricted within an exceedingly narrow space, and that it seldom continues long at any one point, but attacks numbers of points in succession,—the practical inference was deduced that if those precious moments which intervene between the premonition and the attack were properly employed, the actual attack might be averted. Accordingly, a staff of qualified persons, consisting chiefly of medical students and young men commencing practice, was organised to make a house-to-house visitation in every locality in which the disease might break out, taking

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with them appropriate remedies for the premonitory stage, which they were instructed to administer on the spot. It was found that a large staff was not needed for this service, but that if those who undertook it devoted their whole time to the work, and performed it with the precision of a military movement, a small number of persons could visit every house in an infected locality once, twice, and even three times daily. This was actually done in every part of the kingdom visited by this plague where the advice of the General Board of Health was followed. The following are among some of the most remarkable results: —

1. The discovery of a number of dead bodies in the houses visited, the individuals having died of cholera without having received any medical assistance whatever. 2. The discovery of great numbers of cases of cholera in various stages of development, rapidly proceeding to a fatal termination, without medical assistance, or the slightest apprehension of danger on the part either of the sufferers or their friends. 3. The discovery of a vast number of cases of premonitory diarrhœa, without any medicine being taken, without any change being made in diet, without any thought of sickness, and much less without apprehension of the actual presence and positive commencement of a mortal malady. 4. A sudden increase in the number of applications at dispensaries for the supply of medicines, one special duty of the visitor being to direct all persons who might be taken ill after his visit to make instant application for aid to the nearest dispensary. 5. An immediate and progressive diminution in the number of developed cases of cholera. 6. An apparent increase in the number of the premonitory cases; premonitory diarrhœa taking the place of developed cholera. 7. A decided diminution in the number of fresh attacks. 8. A decided diminution in the mortality. 9. Sometimes a rapid cessation of the disease, and invariably a steady progress towards it. Thus, at Dumfries, with a population of 10,000, before the visitation system was commenced, 147, and before it was in full operation, 250 of the townspeople had perished. On the three first days during which the system was in partial use, the fresh attacks daily were respectively 37, 38, 23; and the deaths, 9, 6, 9; on the three succeeding days, when it was in full activity, the attacks diminished to 11, 14, 12, and the deaths to 7, 3, 6; and on the following three days the attacks sunk to 8, 4, 2, and the deaths to 6, 4, 5; in three days more the epidemic was at an end. At Charleston, a suburb of Paisley, when the system of visitation commenced, the fresh attacks amounted to 23 daily; on the fourth day after the system was

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in complete operation they fell to 3 daily, and in a few days more the pestilence ceased. At the small village of Nordelf, out of a population of 150 souls, there had occurred no fewer than 50 attacks of cholera. At this point the visitation system was introduced, after which only four new cases occurred, and these were saved. Out of the large and peculiarly predisposed population of Glasgow, 15,000 cases of premonitory diarrhœa were promptly brought under treatment; of these 1000 had already advanced to the stage of rice-water purging, yet out of this total number only 27 passed into developed cholera. The results were still more striking in the Parkhead district of the Barony Parish, Glasgow; where the system of visitation proved that the premonitory cases were to those of developed cholera in the proportion of 3000, 3300, 5900, and even 6000 per cent.; and where, tracking the pestilence by its invariable sign from street to street, and house to house, and room to room, it arrested its course, and prevented it from passing beyond the premonitory stage. The result was similar in the Metropolis, in Manchester, in Bristol, and other large towns. We forbear to give the details. It may suffice to state that the most earnest testimony is borne to the extraordinary efficacy of this mode of dealing with the pestilence from every place in which it was tried, and that it is now admitted by all — medical men and others — who have turned their attention to the results of this most important and instructive experience, — that if epidemic cholera should again break out in this country, the first duty of the Government and of local authorities will be to organise a plan for carrying this measure into prompt and efficient operation.

A most elaborate Report on Epidemic Cholera as it prevailed in the United States, in 1849–50, has been given to the world by Dr. James Wynne, Chairman of the Medical Department of the National Institute and Chairman of the First Committee of the Public Hygiene of the American Medical Association. The rise and progress of the disease in several different parts of the Union where it appeared are traced with minute accuracy; the first cases of seizure in each place are examined with the greatest care, and are found to have arisen among the same classes of persons, and in the same kind of places, while the mode of attack was the same, as in Great Britain. The haunts of the ordinary autumnal fever of the country supplied the epidemic with victims. In fact, we find in Dr. Wynne's Report a perfect counterpart of the history of the epidemic in Great Britain. Wherever the atmosphere was polluted by filth, foul drains, overcrowding, and the other local sources of pestilence, there the

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epidemic commenced and flourished, in the new country as in the old; and it is most satisfactory to find that the same sanitary measures of precaution which we have shown to have averted the epidemic wherever they were adopted in Great Britain, are proved by Dr. Wynne to have been alike successful in the United States of America. His Report covers a large and diversified field, including New Orleans, Memphis, Nashville, St. Louis, Louisville, Cincinnati, Buffalo, New York, Albany, Newark, Philadelphia, Boston, Rhode Island, and Baltimore: it is more full and positive than the Report of the Irish Commissioners, and concludes thus: —

'In all these circumstances, the adjuncts in the production of cholera are found to maintain a striking resemblance to those which produce malarial diseases. If the question was propounded to me, After the collection of all these facts, can you tell what is the nature of the cause that produces cholera? I should unhesitatingly reply that *I could not.* But I should give the same answer if I were interrogated concerning the nature of autumnal fever. It is true I might reply, in regard to fever, that it depended upon the presence of malaria. But what is malaria? It is the decomposition, under certain known circumstances, of vegetable matter. These circumstances are the presence of air, heat, and moisture. Whenever these elements unite in due proportion, fever is produced, but if either be wanting, malaria is not generated. Hence during the cold of winter and the dryness of midsummer we have no fever, but with the decomposed vegetation of autumn, united with the heat and moisture of that season of the year, fevers prevail. Heat and moisture cannot produce fever; it requires decomposed matter, uncleanliness, and filth. These are precisely the circumstances under which cholera makes its appearance, and the reader will have had frequent occasion to observe how much it is under the conjoint influence of elevated temperature and moisture, and how steadfastly it dwells among filth and uncleanliness.

'I do not assert that the cause of autumnal fever and cholera are identical, but I do aver that the whole history of the epidemic, as it prevailed in the United States, proves that it cannot exist in the absence of those conjoined elements known to produce fever; and no facts more fully substantiate this position, than those connected with its prevalence at the Baltimore almshouse, and its absence in the city as an epidemic. No person will fail to recognise, in the filthy condition in which this establishment was kept, a sufficient cause for disease, and no one can doubt the influence it exercised over the spread of cholera in this immediate locality.

'If this position be fully substantiated, have we not the means in our own hands of arresting its desolating ravages? Does not this disease present itself as a teacher as well as a scourge? Every one must admit the justice of the following observations of Professor Caldwell: —

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'"Cholera, though a fatal scourge to the world, will, through the "wise and beneficent dispensation under which we live, be productive "of consequences favourable alike to science and humanity. Besides "being instrumental in throwing much light on the practice of phy- "sic, it will prove highly influential in extinguishing the belief in "pestilential contagion, and bringing into disrepute the quarantine "and sanitary establishments that have hitherto existed."

'If these facts should prove to be true, and if they arouse the public authorities of large towns to the immense responsibility under which they hold their offices, these pages will not have been written in vain.'

Such was the pestilence — such the subtle morbific agencies which were to be counteracted by ordering vessels from Hamburgh to perform quarantine in the Humber. The practical ill effects of that order drew forth a powerful remonstrance addressed by the Board of Health to the Privy Council*, on the 9th of November, 1848. Among other causes of just complaint, it appears that no provision was made for prompt medical attendance in case of sickness occurring on board vessels in quarantine. The roads where these vessels were stationed are distant eight miles from the port of Hull, where only was medical assistance procurable.

'Considering the fearful rapidity with which cholera runs its course, it does appear to the Board to be a defect to place a number of persons who have been exposed to the cholera poison in a situation in which, even in the day-time, and under the most favourable circumstances, they cannot be reached in less than three or four hours; and under unfavourable circumstances, scarcely within six hours. The inspector of the river indeed says, — "it would, in general, be eight or "nine hours." But the difficulty and delay must be still greater, if any persons on board these vessels are seized suddenly during the night, which experience shows is the time when the subjects of this formidable disease are most commonly attacked.

'It appears to the Board, that if wayfarers, passengers, merchants, and foreigners are subjected to the anxieties of suspicion, the disadvantage of confinement, and the inconvenience and loss of delay for

* Quarantine was introduced into this country by an Act passed in the ninth year of Queen Anne (9 Ann. c. 2.), on the appearance of the plague in the Baltic. The present law was passed in the reign of George IV. By a curious anomaly, the provisions of the Quarantine Act are administered, even in their minute details, by the Privy Council, acting, it is presumed, under the guidance of the Superintendent-General of Quarantine, who, with the other officers of Quarantine, however, is for the purposes of salary treated as belonging to the Board of Customs and not to the Privy Council, whereby the establishment escapes the annual scrutiny of the House of Commons in voting the estimate of the Council Office.

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the presumed safety of the public, justice requires that all practical precaution should be taken for lessening their danger, affording them assistance, and mitigating the evils of their unfortunate position.'

Several instances, indeed, occurred of persons leaving Hamburgh apparently in perfect health, who were seized with cholera on their passage to Hull; some of them being in a state of hopeless collapse, and others dead, on the arrival of the vessel at that port. Mr. Hardey, the Medical Superintendent of Quarantine at Hull, writes: —

'As I stated in my last, the two cases of Asiatic cholera to which I have been summoned on board these quarantine steamers have both been found in collapse when visited; whereas had they been at hand and early attended, they might probably have been relieved. The "Rob Roy" on Sunday had to break her quarantine ground, and steam to Hull Roads for assistance, but it was too late. She went down again after the death, and as I have heard nothing from her, I hope all continue well on board.

'The Board of Health would call the attention of their lordships to the anxiety and distress which would probably be excited in some of the passengers, on finding that this vessel had in vain broken her quarantine to obtain assistance, and that she had returned to the spot in which they had already experienced that all relief was hopeless.'

The letter from the Board of Health to the Privy Council is, in fact, an unanswerable exposure of the inutility and mischief of quarantine as administered on that occasion. Its statements have never been controverted. The actual working of the system is well exemplified, from his own personal experience, in the following letter from the Vice-Chairman of the General Steam Navigation Company: —

'Referring to the conversation had with reference to the quarantine regulations, to which ships coming from Hamburg have been subjected on their arrival in England, I beg to state that on my arrival at Hamburg on the 12th of October last, when returning from Schleswick, and with the intention of proceeding from that place direct to London the following night by the mail steamer, I learned that intelligence had reached Hamburg that on the 6th of October an order in London had been issued, "that all ships coming from Hamburg were "to perform quarantine for six days, to be reckoned from the time of "departure; but, were also, in case of any illness being on board, or "which came while lying in quarantine, to remain so, not only until "the party or parties were convalescent, but for six days more after "such convalescence," therefore making the quarantine almost for an indefinite period.

'On inquiry whether such an order had been issued, as it would very seriously impede the usual commercial intercourse, I found that such was really the case, and I found also that the same had created the greatest astonishment and surprise among officials, merchants,

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and captains; because, as they very justly said, that the cholera was in England, even in London; and the regulations as regards passengers were completely useless and vexatious, as those from Hamburg who had occasion to proceed to England were not compelled to go by sea, but had other routes open to them, the land route by Holland, as also the route by Belgium and France, and either of which would of course be taken by them, not being subject to any quarantine, nor suffering any inconvenience excepting that the journey would be much more troublesome, be twenty-four to thirty-six hours longer, and more expensive, but which was to be preferred to the annoyance of performing quarantine on board a ship, moored within sight of land, and surrounded by water and fogs sufficient to give those on board the ague, if not a worse disease.

'In order, therefore, to avoid all this, I, as well as several other individuals, proceeded by land through Hanover, Prussia, and Belgium to Ostend.

'I have also inquired of some of the captains of the Hamburg mail steamers during the period the quarantine regulations were lately enforced, whether any instructions had been received by them how to act, in case any serious case of illness or cholera had occurred while lying in quarantine, and if no instructions had been given, how they would have acted in case of such an occurrence either happening in the day or by night? It was admitted that in regard to such an occurrence they had been without instructions, and added, that if unfortunately such an occurrence had taken place, they would have hardly known how to have proceeded, as no communication with the shore was allowed; perhaps, in the first instance, they would have probably administered a dose of cholera medicine which they have on board, and then have made a signal in the hope that the authorities would come to the ship; a person, therefore, before any assistance could come might be dead, or in such a state that there would be no hope of recovery.

'I believe I may, in conclusion, safely say, that withdrawing this useless regulation has given universal satisfaction, at least among mercantile and seafaring men, not because the one is thereby relieved from an inconvenience in travelling, or the other from imprisonment, but really on account of its utter inutility.'

'From these statements (and many similar representations have been made to the Board) it appears that even assuming the doctrine of contagion to be true, quarantine regulations are calculated to defeat their own object; for neglect, inconvenience, delay, expense, and loss, all operate as so much bounty on misrepresentation, false swearing, and evasion.'

We have devoted so much time to the History of the Cholera Epidemic of1848–9 because, of the three diseases which are the especial subjects of quarantine, viz., plague, yellow fever, and cholera, the last is the most personally interesting to the inhabitants of Great Britain, which it appears to be now steadily

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approaching in its former track*; and because the facts are less liable to distortion from having occurred in our own country, in very recent times, and before the eyes of hosts of living witnesses. The three diseases are of the same family, differing in external aspect, and in the internal organs which principally suffer, but agreeing in the following material points:—

'They are all fevers, they are all dependent upon certain atmospheric conditions, they all obey similar laws of diffusion, they all infest the same sort of localities, they all attack chiefly the same classes, and for the most part persons of the like ages; and their intensity is increased or diminished by the same sanitary and social conditions.

'The consideration of these common properties of pestilence, under whatever form or name it may occur, has led to the general conclusion that the true safeguards against pestilential diseases are not quarantine regulations, but sanitary measures—that is to say, measures which tend to prevent or remove certain conditions, without which pestilential diseases appear to be incapable of existing.

'The whole machinery of quarantine is based on the assumption that by an absolute interdiction of communication with the sick, either by the person or by infected articles, it can prevent the introduction of epidemic disease into an unaffected community.

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* It has again begun in Persia, advanced to Russia, and visited Warsaw in a more terrible manner than ever; there having been in that city nearly 6000 deaths, and according to the most recent advices half the attacked dying. From Warsaw it has spread to Dantzic and the neighbouring country, and at the same time advanced westward, having, according to the public papers, already reached Magdeburgh, about 150 miles from Hamburgh. In 1848 it was at Hamburgh in September, and in Edinburgh in October. In our own metropolis, as well as in many provincial towns, diarrhœa is now (September 9th) more epidemic than it was in 1848, before the actual appearance of the pestilence, and not a day passes without accounts being transmitted to the Board of Health of fatal cases of cholera, so exactly resembling Asiatic, that no difference is appreciable. Under these circumstances we are glad to perceive that the Government has appointed, as medical inspectors, to watch the progress of the disease both at home and abroad, and to make preparation for its outbreak should it occur, Dr. Sutherland and Mr. Grainger, who during the whole course of the last epidemic, 'more than any 'private practitioners, and more probably than any other public ser-'vants, were engaged in a personal and laborious examination of the 'conditions connected with the propagation of the disease, and in 'superintending in different towns in various parts of the kingdom, 'the application of the measures which, on the best consideration, 'were judged necessary to meet the most formidable attacks of the 'disease.' (*Report on Cholera*, p. 2.)

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'But this assumption overlooks the essential condition on which epidemic disease depends, namely,—the presence of an epidemic atmosphere, without which it is now generally admitted that no contagion, whether imported or native, can cause a disease to spread epidemically. Allowing, therefore, to contagion all the influence which any one supposes it to possess, and to quarantine all the control over it which it claims, there remains the condition, the primary and essential condition, which confessedly it cannot reach, namely, the epidemic atmosphere.'

The letter to the Privy Council was followed in 1849 by a Report upon Quarantine, in which the facts bearing upon that subject are brought out with clearness, the arguments are logically deduced, and the whole question is investigated in the true spirit of philosophical inquiry. Although it did not excite in this country the attention which it deserved, yet on the continent of Europe, having been translated into French and Italian, it was extensively read, producing a powerful effect, especially in France, Austria, and Russia; and it appears to have materially accelerated the formation of a general congress, which the leading governments of Europe had for some years been earnestly labouring to convene, for the purpose of effecting a general revision of the practice of quarantine; accordingly in July 1851, at the invitation of France, a conference of representatives from different nations (*Conférence Sanitaire Internationale**) assembled at Paris to consider this question. The countries sending representatives were Austria, France, Spain, Great Britain, Greece, Naples, Portugal, Rome, Russia, Sardinia, Turkey, and Tuscany.

The reasons for summoning this conference were 'the excessive and unnecessary severity of the Quarantine Laws in the Mediterranean, their inequality in different States, their arbi-

* During the fight on the Boulevards of the 4th December, 1851, amidst the roar of artillery and the fusillades of the infantry, the Conference was in Session, and refused either to accept the protection of guards or to discontinue its labours. While the battle was going on, the Conference was calmly discussing the great question of Sanitary Reform in the East, and the spread of civilisation and commerce among its inhabitants. It was at this meeting that it was decided to recommend the erection of the Boards of Health at Constantinople and Alexandria into Boards having special reference to the introduction of sanitary reforms over the whole extent of the Turkish Empire. The sanitary propositions were contained in a Report on the subject drawn up and signed by Dr. Sutherland.

This steady perseverance of the Conference, in its special work, drew forth the strongest expressions of thanks from the French Government.

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'trary and irresponsible nature — the enormous losses they 'inflicted on commerce, which were estimated by the French 'authorities at 100 millions of francs for France alone — the 'strong doubts which have of late years been entertained by 'scientific men of the highest reputation as to the possibility 'of importing epidemic disease, and consequently as to the utility 'of quarantine, had begun to throw discredit on the system, 'while the inevitable march of events, the all-conquering power 'of steam, hastened the reconsideration of all its disadvantages '— Steam would not much longer submit to lose the benefits of 'improved speed in transit from being placed under arrest by 'the health officer — Lastly the evident contradiction between 'the doctrines of quarantine and that necessity of intercourse 'which Providence is now, as it were, revealing and urging on 'the human race. In the face of these reasons, it behoved us 'to demand of quarantine a justification of the faith that was 'in it.'

We are glad to perceive that towards the end of the last Session of Parliament, Lord St. Germans, in a very able and statesman-like speech, moved for the production of the proceedings of the *Conference.* From the debate on that motion, we learn that the *Conference* agreed in the recognition of the great principle contended for in the Report on Quarantine — the substitution of sanitary precautions for quarantine, coercion, and isolation. This is indeed substantially announced by the President of the *Conference* himself, M. David, who in presenting his Report said, 'In so far as concerns measures of Hygiene, they will be obli-'gatory in all cases and against all diseases, for you have under-'stood the importance of these measures, which at no distant 'date will render useless (*inutile*) by their efficacy all the 'other precautions, so onerous, which we are yet obliged to 'take against these destructive scourges, of which, without 'doubt, the civilisation of the 19th century will demand the 'reason.'

The Medico-Chirurgical Academy of Genoa has recently given some account of the proceedings and main results of the *Conference.*

We believe that the following is, so far as it goes, a correct outline of the changes recommended: —

1. The equalisation of quarantine throughout the Mediterranean.

2. The reduction of the period of quarantine.

3. The total abolition of *suspected* bills of health, which would sweep away the great majority of the quarantines at present exacted.

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4. The issuing of foul bills of health only on competent and responsible authority.

5. The immediate admission of clean bills of health to free pratique in every port.

6. The restriction of Quarantine to three diseases only, namely Cholera, Fellow Fever, and Plague.

7. The total abolition of the former distinction between susceptible and non-susceptible articles, — distinctions which filled volumes,—and the reduction of all articles to three classes:—

a. Those which in time of disease must undergo quarantine and purification, namely, hides and skins, animal refuse, rags, wool, and silk.

b. Those with reference to which quarantine and purification are optional, namely, cotton, hemp, and flax.

c. All other substances, which go free.

8. That all steam boats carrying passengers should have a medical officer on board.

9. The responsibility of quarantine administrations.

10. The medical and other care of the sick in establishments properly adapted for their accommodation and treatment.

11. The reform of quarantine dues.

12. The application of measures of Hygiene against foul and infected ships and sea-ports, rather than quarantine against the country from which such ships may have taken their departure. It may be matter of surprise that with such views the *Conference* did not at once abolish quarantine. This, however, was impossible, because most of the members had specific instructions to the contrary, and there are unfortunately other and latent considerations connected with quarantine besides the mere question of the public health. All that could be done was to adopt sound principles as extensively as possible, to reduce quarantine to a minimum, and to equalise it over all the contracting States. These are reforms not to be rejected; commercially they are next in importance to Free Trade; sanatorially, thay are next in importance to the abolition of the cesspool and the cellar dwelling.

At this *Conference* Great Britain was represented by Dr. Sutherland, of the General Board of Health, and Sir Anthony Perrier, Her Majesty's Consul at Brest, who have discharged the duties confided to them with zeal, ability, and discretion, Lord Normandy being at the same time our ambassador at Paris, who not only in that capacity, but previously when holding the Seals of Secretary of State, had approved himself an active promoter of commercial freedom and sanitary reform. We anxiously look for the publication of the proceedings of the

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Conference, and for the ratification of the international sanitary convention, to the construction of which its labours were directed; trusting that no sinister influences, no difficulties raised by quarantine departments, in matters of form where the principle cannot be impugned, no mere points of diplomatic etiquette, will be allowed to mar the success of a measure so conducive to the welfare, happiness, and harmony of the great European Family, and that the several Governments of Europe will disregard all the artifices by which quarantine seeks to prolong its baleful existence, at the expense of the health and commerce of the world. Having already achieved so many victories in the cause of commercial freedom, our own country has now a glorious opportunity—which it would be worse than foolish, it would be sinful, to neglect,—for vindicating her claim to the privilege of being foremost in the march of international sanitary reform.

ART. VI.—*Life and Memoirs of Marie de Medici, Queen and Regent of France.* By Miss PARDOE. London: 1852.

THIS is a splendid book so far as binding, printing, and general mounting go. The first is of the brightest blue, the gilding undeniable, the type such as Spottiswoode would not be ashamed of. Externals are certainly in its favour, and our minds had no reason to admit any prejudice against the probable value of its contents. The literary market, indeed, has of late been somewhat overstocked with 'Royal Biographies,' 'Anecdotes of the Aristocracy,' 'Romances of the Peerage,' and such like high-titled versions of the 'Court Newsman' and 'Morning Post' of other days; but we are not so perverse as wilfully to confuse all publications of that stamp in one predicament of contempt. We have, moreover, a large measure of faith in the powers of a female pen when confined to that branch of literature which is peculiarly its own.

Female biography stands preeminently of this kind. It admits more of the light gossipping style of narration, skimming with Camilla-like touch over the more ambitious topics of history, and giving freshness to many old and well-known points and personages by turning on them a new reflecting mirror. Besides, on the question of personal character, we love to see the contest of the sex's *esprit du corps* with the verdict of history, whether in sympathetic praise or defence; and, where the case admits of neither, who so proper to affix the stigma on the offender as the female censor? All we ask is a worthy sub-

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ject, by which we mean not always moral but historical worth. We cannot admit the claim of every Queen or Princess, *ex officio*, so to speak, still less can we afford to squander our spare sympathies upon any 'heroine whose life (to use the puffer's words) 'partakes of the stirring character of romance.' Either the person's own character must possess the merit which we acknowledge, or she must be able to borrow interest reflected from the time in which she lived, the moving accidents which she shared in, or the noted individuals with whom she came in contact. The interest attaching to the non-historical memoirs of two such women as Mary Queen of Scots and Sarah Duchess of Marlborough, obviously derivable from different causes, may serve as an imperfect illustration of our meaning. Nor do we always look for amusement only in such a study: many an apparently frivolous narrative of this kind may contain a vein of real historical value.

Burnet says of De Wit, that with all his knowledge and ability, he was eminently unfitted to be at the head of affairs, for that he chose to assume that rulers always followed their true interests; knowing which himself, he thought he could at all times calculate with certainty what they were about, not considering how far passions, amours, intrigues, and humours wrought on the world, and 'chiefly on princes.' (*Own Time*, i. 245.) We think that the want which all statesmen but the Grand Pensionary have felt, and of which all students now-a-days are painfully conscious, may be at times supplied by the use of personal memoirs — and more particularly by those of women. For without always exercising the 'influence' which their biographers too readily assume, the fair sex have, nevertheless, frequently been the real centres around which the world's actors have grouped themselves; or, still oftener, their love of intrigue has led them into a knowledge of those unexpressed passages in a court's history which exist only in the talk or correspondence of the day. Hence the atmosphere they breathe is laden with sweets of importance, domestic or diplomatic; or with what, in lack of these, stands as their next best substitute — the gossip of the ante-chamber, or the scandal of the back-stairs. From such sources as these historians have been often enabled to supply many valuable links in their chain.

Glad, therefore, as we are to acknowledge the obligation of the public to authors of biographical works, we shall be very jealous of any attempt to tamper with the condition we have above mentioned, affecting the historical worth of the subject; for, in addition to the abuse of art which such an attempt in-

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volves, we know by experience that the shortcomings of the proper material render a large foreign importation necessary to hide the otherwise meagre appearance of the whole concern.

We hold the present volumes to be a mournful illustration of such an error and its consequence. Before we opened the book the doubt certainly existed in our minds whether Marie de Medici, historically considered, and not merely as a vehicle for three volumes large octavo, could afford a fair average theme for a memoir. This doubt has been confirmed, on perusal, by the indirect testimony of the authoress herself. Miss Pardoe will excuse our asking why, if this be not so, is Marie found so continually in the background, whilst people and events which have the least possible connexion with her 'life' are introduced in every page, with no other apparent effect than that of complicating, or rather dislocating, the narrative, embarrassing the view of the chief personage, and, last but not least, occupying valuable space.

We presume that Miss Pardoe has made use of all the available materials; we can only wish, for her sake, that they had been more ample, more interesting, and more novel. But seeing what they really amount to, we are sorry that she did not adopt the course of making some part (for it could have been *some* part only) of the life of Marie the groundwork of a genuine romance, sinking all the rest as impracticable. Figuring as the centre of a fiction to which she would have contributed little besides her name, Marie's historical nothingness might have passed muster; while, like so many other *eponumoi* of romance, her fortunes would have afforded ample scope for fanciful description, picture-painting, and moralising, for all which our authoress shows decided inclination and considerable talent; but which, occurring so frequently in a *quasi* truthful narrative, seem somewhat out of place. Besides, we are tempted to ask, of what, if the book *is* to be treated as a history, is it a history? Surely not what its title professes; for between the latter and the contents there is a pleasing incongruity. It would have been no less a history of Marie de Medici if the title-page had run 'Passages, Historical and Fanciful, in the Courts of Henry 'IV., the Regent Marie, and Louis XIII., between the Years '1600 and 1641;' and we might then have been relieved of at least one volume out of the three; whereas, by preserving the strictly legitimate garb, Miss Pardoe has disfigured her memoirs with sundry rags of French history, which, far from assisting the student, only weary him. Moreover, he will be dismayed to find with how much less trouble he might have mastered, in the ordinary way, all that this diluted version contains. Miss Par-

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doe's pages too are perfectly spotted with proper names, rendering lengthy and frequent foot-notes necessary — by a process somewhat akin to quenching thirst with sea-water. Above all, nothing being done by stage effect, or otherwise, to conceal the unimportance of the principal characters, all unity is abandoned, and, as in a system without a central point of attraction to balance the whole, the various parts run off into independent orbits, and a mild form of chaos reigns throughout.

The only means we have of knowing what an author's subject is intended to be should be found in the preface, a document which represents in the court of criticism what 'the pleadings' are to the tribunals of justice; and between these two there is this necessary analogy, that unless the 'case' maintain the preliminary statement, a nonsuit is the consequence. How far this is so in the present instance our readers shall judge.

In the first place, Miss Pardoe tries to bespeak extraordinary sympathy for her heroine. We are always suspicious of appeals *ad misericordiam:* but let that pass. Never, says the writer, was a life of greater vicissitude than that of the Florentine Queen: it is full of contrasts from which 'the mind shrinks back appalled;' 'it is freighted with such alternate grandeur and privation that it is difficult to reconcile the possibility of their having fallen to the share of the same individual.' 'We find,' it is added, 'numerous examples in history of queens who have suffered exile, imprisonment, *and death;* but the unfortunate Marie de Medici is the only instance of a total abandonment on the part alike of her family and friends which terminated almost in starvation.' (*Preface.*)

We do not agree with Miss Pardoe's estimate of royal humiliation. 'Death,' by which we presume a violent death is meant, 'has,' after all, (to parody the murderer's phrase) 'no fellow.' But passing this, the confessed alternations of fortune disarm the appeal of much of its sting when the sufferer cannot be considered wholly guiltless of her own misfortunes. We must refuse extraordinary sympathy to a Queen who, having, it is admitted, a breathing-time from evil, by her wilful folly persisted in provoking her malignant destiny. So much as this cannot be urged against even Mary of Scotland, whatever may have been her crimes. But there was a contemporary of Marie de Medici, whose undeserved sorrows must ever take precedence in all English bosoms. The innocent, the devoted Elizabeth of Bohemia suffered a life-long exile and humiliation without one of those alternations of 'grandeur' which fell to the lot of Miss Pardoe's favourite.

As a further special claim upon us in behalf of Marie's

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story, our attention is drawn to the remarkable character of the 'times' in which these things were done—times which we are told 'were fatal to the aristocracy and the magistrature,' and 'paved the way' (an odd expression) to the absolutism of Louis XIV. and its consequences. The preface, or at least so much of it as is material, concludes with the apparent moral that the exile and privations, to which Marie de Medici was exposed through the agency of Richelieu, went a long way to teach the people that neither royalty nor nobility was invulnerable to the malice or vengeance of opponents.

This is all very pretty to read, but surely the deaths of two successive kings by the assassin's hand, in the previous fifty years, would have taught them a much more impressive lesson, had there been anybody capable of profiting by it,—a point on which we entertain doubts. If it were worth while to remark on the significance of the popular judgments of this period, it must be important to inquire by what particulars the public was most warmly interested. The voice of the mass, if ever heard, was then heard only in reprobation of foreign favourites whom they were taxed to enrich, of upstart ministers, or religious persecution. For the two former the people had to thank exclusively the weakness and ambition of Marie de Medici; against the last she did *not* oppose what little influence she at any time possessed.

We were far from sanguine that Miss Pardoe would be able to support these preliminary statements. We shall hereafter consider more in detail how far she has done so: simply remarking at present that she seems to have started with too general and indefinite an idea of the capacity of her theme, consequently her story becomes vague and disjointed, and, like a mother anxious to hide her offspring's deformity, she is obliged to swaddle it in a multitude of coats of various sizes and patterns.

Miss Pardoe has herself set at defiance all the laws of criticism, or we should be at a loss to know how to deal with her work. It is not romance, nor memoir, nor history, yet at times it partakes of all. One fault, however, the lady has which renders success in any of these essays unattainable, namely, her inability to tell a story shortly, or, better still, to abstain from telling it when its introduction is unnecessary. She will find it hard to justify the insertion, at such length, of a *pannus* like the Duke of Biron's conspiracy (vol. i. pp. 169—207!!). Nothing can be more kingly, we might say heroic, than is Henry's conduct in that affair, but how Marie is connected with it, or it with Marie, except that she formed one of the whist-party on the night of the Duke's arrest, we are unable to see. Yet in some things Miss Pardoe

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can be punctiliously accurate. For no other reason which we can discover than because her title-page does not run in the style of old books—the '*birth*, life, and death,' of so and so,—she suppresses all mention of her heroine's nativity and early life, though her abundant foot-notes testify to the care she has taken to set forth the birth and parentage of almost every other proper name in her pages.

In short, it seems, Miss Pardoe has plenty to tell about any one or any thing except Marie de Medici and her immediate interests. Of course we infer that the most has been done for her. But really in the two first volumes there is scarcely any thing which raises her one half inch in interest above her meanest courtier, except a speech or two, while Regent, in the Parliament, for which we suspect that Miss Pardoe has drawn upon her imagination. The proportions of sack and bread in Falstaff's reckoning are hardly more 'monstrous' than these of subject and chronicle. If all men and women of no more importance had their lives recorded at similar length, we should indeed feel that 'the world itself would not contain the books which would 'be written.'

But we must hasten on to an examination of what these volumes *do* contain on the subject they by their title profess to treat of. The 'life' begins with the arrival of the envoy in Florence to demand Marie's hand in marriage, till which time nothing is related of her. In a note, we are informed, apparently *en passant*, that she was the daughter of Francis, Grand-duke of Florence, and Jane, Archduchess of Austria and Queen of Hungary, daughter 'of the Emperor Ferdinand.' By so little does poor Marie escape the predicament of wanting a father and mother as well as a grandfather! As it is, the whereabouts and circumstances of her birth entirely slip through. The date of this event is, however, fixed by our being told that she was twenty-four when she 'quitted her uncle's Court in regal splendour to ascend the 'throne of France,' in the year 1600; perhaps, therefore, we are importunate in asking for more. But we cannot so readily forgive Miss Pardoe for omitting all notice of Marie's family and earlier history. Our imagination takes wing when we read of the 'happy days' and the 'orange groves of sunny Flo-'rence' which passed in retrospect before the eyes of Leonora Concini as she lay tranced in pride and delight, her head on her royal playfellow's knees, upon the memorable occasion of her husband's elevation to the rank of marshal (vol. ii. p. 234.), and again in sadder but still no less truthful retrospect, on the fatal night of her imprisonment in the Bastile (vol. iii. p. 53.). Here is no trifling neglect: what earthly purpose are memoirs to

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serve if not to place before us, the pictures of scenes like these? The memorialist is as the gleaner, whose duty it is to gather the stray ears which have escaped the reaper's hand, not to fill his basket by pilfering from the standing sheaves. We did not take up Miss Pardoe to be told about the circumstances of Henry's first marriage, the massacre of St. Bartholomew, &c. &c. A fanciful version of these events may be read in Dumas' romance. But in the 'life' of a distinguished member of the Medici some account of the great family, from the time when Roscoe's work concludes, would have been acceptable, and at least as proper as anything which these volumes contain.

The rise of the Medici—a deserved rise in the estimation of Voltaire—had been as extraordinary as rapid. From simple merchants they had in two generations seen two of their members elevated to the popedom; their supremacy, nobly and magnificently founded, had been settled without a murmur at home, and respectfully acknowledged abroad. Their alliance was courted, their daughters had mated with kings, and they had taken kings' daughters to be their wives. Yet all this is to Miss Pardoe as an idle tale. Her heroine, the heiress of so much magnificence, is allowed to start up no one knows how upon the canvass, and, while we are entertained with other matters, her 'life' grows a chapter old. There is one subject introduced in the opening chapter of which we do not much complain, namely, the wooing and winning of Henrietta d'Estragnes as successor to poor Gabrielle d'Estrées in the King's affections. This episode was necessary, since the relations between the wife and the mistress are to form an important part of Marie's slight history.

The second chapter introduces us to our heroine at Florence, where she is married by proxy amidst splendid ceremonies, and forthwith sails for Marseilles in the most gorgeous of gallies. From her arrival in France, the drama divides itself into three 'fyttes,' representing Marie 'as Queen,' 'as Regent,' and 'as 'Exile;' a poetical rather than an historical division, for the party lines of the second and third periods frequently intersect each other. For instance, from the death of De Luynes early in 1624 till 1631, we find under the head of the last, the Queen-mother installed at Court, grasping, intriguing, and embroiling, and in any condition but that of an exile. However, this by the way; we must not travel so fast over this part of the subject.

Miss Pardoe finds abundant opportunity for expressing her sympathy with Marie's sorrows during her married life. Never were couple worse assorted. Marie became immediately on her entrance into Paris a mere nonentity. Few women could have

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long retained the affections of so sensual a husband. But Henry had that in him which would have revolted from systematic neglect of a wife if he had found in her the slightest effort to please, while his domestic disposition would have prized a genuine attachment. But a State marriage brought him only a State partner, a woman with many qualities requisite for an automaton Queen, but without one of heart or head to render her worthy of affection. Her pride and unconciliatory temper drove him continually where his fancy had already strayed. Miss Pardoe must exert her power in vain: there is nothing here which deserves to be embalmed in biographical sympathy. Such things smack too much of every-day life. Good or evil in a more than ordinary degree only constitutes the heroine: our feelings for the present subject are too near akin to contempt to suit the author's view. We tire of quarrels and reconciliations when they lead to one certain uniform result. Throughout all this we find one old friend in a new character. Poor Sully plays the part of a 'Mr. Sulky' with plenty of good advice; which by the lady is always taken, never acted upon: and in one 'scene' he comes in for *a blow* aimed at the King by the Queenly right hand.

From the beginning Marie was fain, in spite of her proud virtue and haughty Italian blood, to make concessions to the mistress in order to maintain her own position and extort favours for her Florentine followers. Such events, and the eternal 'Queen's Ballets' and 'somebody else's Ballet before the 'Queen,' make up the only parts of seven chapters, extending into the beginning of the second volume, which can honestly be said to involve the existence of Marie. Previously to the departure of the King upon the war which the Condé affair (so voluminously related in the eighth chapter) had given rise to, Marie is declared Regent, and, prompted by Concini, urges her right to be crowned: an event which gives Miss Pardoe an opportunity of enlarging upon dress and ceremony in descriptions which no doubt will find their admirers. The day following the coronation Henry the Great was a corpse.

We believe Miss Pardoe does right in rejecting with scorn all the suspicions attaching to Marie on this occasion, and which, but for the unsatisfactory conduct of the said Marie herself, could never have arisen. But Miss Pardoe's way of treating this part of her heroine's life is, to say the least, curious. She is picturing, *ut suus est mos*, the reveries of the first night of widowhood, when, as Marie is alone in the chamber of death, all her ambitious future rises in visions before her. 'There are those,' says her biographer, 'who, ignorant of human nature, have been

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'bold enough to assert that Marie forgot, in her self-gratulation, 'the price at which her greatness had been bought.' Now we presume Miss Pardoe means the irreparable loss which Marie had sustained by her husband's death to be 'the price' in question. We believe, with our authoress, that the French Queen was innocent; but still we should not stake our belief upon this night's behaviour. If any thing was to be said, it would have been much more to her biographer's purpose to show that Marie afterwards grieved a long and heartfelt grief. The thus pointedly drawing attention to one night looks as if 'the to-morrow, 'and to-morrow, and to-morrow,' would not bear inspection. But Miss Pardoe opens a door to suspicion by the ambiguity of her language, for the remark that 'Marie did not forget the 'price,' &c. might as well mean that she then felt what a heavy penalty she had paid for her present position — even the price of a seared conscience. Miss Pardoe only makes the matter worse by talking of the contest which 'the daughter of the 'Medici' had to maintain with 'the presence of death and the 'stillness of night — those fearful chasteners of human pride.' As if, supposing Marie to have been guilty, a poor weak woman could, any more than greater heroes in vice, at such a time, so withdraw her senses from the scene before her as to give way to any pleasurable dreams of 'pride and power;' or, as if the being unable to do so were any proof of her innocence. We can only retort Miss Pardoe's reproach, and in her own words, 'Marie's position demanded mercy at the hands of her *historian*, 'and should not have *sought* it in vain.' (Vol. ii. p. 98.)

A new life now opens upon the late Queen of France: her tears were soon dried, and she grasped with eagerness the power offered to her; but the ambition which animated her was only a selfish, useless, unprincipled love of rule. Headstrong and impatient, with a long catalogue of slights to redress and injuries to revenge, she would not have been a female Medici if she had not used her opportunity to the full. To enrich her favourites and buy off the opposition of the princes and nobles, she hesitated not to squander vast treasures which had been collected by Sully's industry and patriotism for better purposes. She soon lost the services of that able minister, who, having lived on terms of almost equality with a great monarch, could not brook the caprices of a woman and the follies of a child.

We cannot follow the second volume through all its details: it is possible that some of our readers may find amusement there: we honestly confess that we have not. It contains continual *allusions* to the power, pride, and munificence of Marie's regency, the latter coupled with the name of Rubens; but there

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is no substantial narrative concerning either events or persons. Chapter after chapter brings nothing but the quarrels of the princes and nobles, whose animosities are augmented by Concini. The favourite is for a time estranged from the Court, but the Regent was unable to exist without her companion, Leonora, so that the two are restored, and the reconciliation sealed by the gift of a marshal's bâton to the carpenter's son. The description of this scene forms one of the celebrated 'pictures' in the book; but it is impossible to look on it as historical; and they are events which, in any other point of view, we do not care for. The war with Condé, ending with the arrest of the Prince, renders Concini for a time paramount. But Concini's star now began to pale before the rising beams of a legitimate royal favourite, whose influence changed the fate of the kingdom and its rulers. It was long before Louis' constitutional abhorrence of bloodshed could be overcome by gradual distilments of jealousy, suspicion, and fear, and before he could be persuaded to an act which, while it relieved his feelings, involved also an outbreak against maternal rule. The *fiat*, however, long delayed, at last went forth. Shot down like a stag in the toils, under the very eyes of the king, who, from the window of the palace, applauded and justified the bloody deed, the wretched Florentine atoned at once for his own and his mistress's folly: his less guilty wife was dragged to the scaffold; while the Queen-mother, lately so omnipotent, fell, under the suddenness of the blow, into silent and despicable acquiescence.

Here we must pause to notice a curious mistake into which Miss Pardoe is betrayed by her love of fine writing. Speaking of the congratulations which poured in from all sides upon the young king on his 'happy deliverance' from the power of the Concini, she says: 'Nothing, in short, but plumed hats, sweeping the marble floor, flexile forms bending to the earth, and lips wreathed with smiles, were to be seen in the kingly hall in which Henry the Fourth had loved to discuss grand topics with his sturdy minister, the Duke de Sully, and which Marie de Medici, in her day of pride and power, had enriched with the glorious productions of her immortal *protégé*, Rubens, the painter-prince, as she was wont to call him.' (Vol. iii. p. 41.) The authoress is speaking of the Louvre in 1617. But the 'glorious productions' of Rubens here intended were originally painted for, and placed in, Marie's own palace of the Luxembourg, and were never seen in the Louvre till after the Restoration, in 1815; when they were removed thither from the Luxembourg, to fill the void created by the more permanent restoration, — that of the stolen goods which had adorned its walls during the

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Empire. Nor are we telling Miss Pardoe any thing of which she is ignorant; for in the same volume (p. 540.), dilating in a like elevated strain upon the meeting, in 1641, between Marie and the painter, at Antwerp, she informs us that they 'talked 'together of the proud period of her power when she (Marie) 'had laboured to embellish her beloved city of Paris, and *sum-* '*moned Rubens to the Luxembourg*, to execute the magnificent 'series of pictures *which formed its noblest ornament.*' On the previous page the date of Rubens' visit to Paris is fixed at 1622. How either the date or the position of the pictures is reconcilable with the truth of the splendid description of the Louvre in 1617, above mentioned, we must leave Miss Pardoe to explain. The original destination of the Rubens Gallery is notorious. We have no means at hand of correcting the date of their execution but what her own words afford us. This comes of combining the interest of romance with the 'reliability of 'history.'

But to proceed. The fall of Concini was the signal for the dethronement of the Queen-mother from the power which she had begun to usurp. She left Paris with hardly one attendant of her own choice, and amidst the silent *non-chalance* of her late subjects. Richelieu alone seemed to respect her adversity and offered to share her exile. But his touch was that of the serpent: with rare treachery he had engaged to play the spy upon all her plans and movements for the information of her enemies at court. Both parties, however, were equally deceived; for while he moulded the weak and impulsive mind of Marie to his wishes, he only doled out to De Luynes just so much intelligence as made the informer an object of deference and solicitude.

After some months of close surveillance at Blois, during which a faction had been concerted to restore her to Court, Marie escaped into the government of the Duke d'Epernon, whose magnificence, during her short sojourn with him, crippled a splendid fortune. After various delays, suggested by the duplicity of Richelieu, the death of De Luynes, in 1624, left no one capable of opposing the Cardinal. Marie was reconciled to the King, and admitted to a seat in the Council; and Richelieu, at her suggestion, was made Secretary of State. From this point one step placed him at the head of affairs, to reward the generosity or credulity of his mistress with a second scene of treachery, and to be the curse of France and Europe.

During seven years from this time Marie found herself in comparative ease, and, if she would have learnt wisdom, even power. But her meddling spirit could not rest, and she em-

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ployed herself, with motherly solicitude, first in setting her sons at variance, and afterwards, as if in memory of her own state, in exciting suspicions and heartburnings between the cold saturnine King and his beautiful and child-like wife. In this part of her policy she was doubtless well seconded by Richelieu; who, it is on record, endeavoured to give substantial cause for the scandal. Though for some time the treachery succeeded, history has fully avenged the memory of the chief sufferer. No character has come out of trial more unblemished than Anne of Austria. She had all the virtue of Marie de Medici herself, without having been, like her, free from temptation of constitution or circumstances.

The hopes of the Queen-mother were at this time fixed upon the succession of her second and best-beloved son, Gaston, Duke of Orleans, and, as a consequence of it, on a second regency for herself. Little did she dream what an obstacle she had, in her confiding folly, raised between herself and the realisation of such visions. Richelieu's ambition was as reckless as it was unbounded, and it is impossible to say to what a height it may not at times have wandered. In addition to the authority of a trusted minister, he had acquired much of the personal influence of a favourite over the childish Louis, who, though apt, in his petulant moods, to sneer and pout at the ill-concealed insolence of 'Père Ganin,' could no more have dispensed with his services, than with life itself. Though Marie soon found, with such a rival, against what fearful odds she had to contend, yet, vain and wilful, she proceeded to set at defiance the man who held her fate in his hands. The characters of the King and of his Mother, as shown in this respect, are well contrasted by Miss Pardoe in a most dramatic scene in the royal closet, to which we can pay no higher compliment than by saying that, if not history, it deserves to be. But it is too long to be extracted here without doing injustice to its merit, which, after what we have said of our authoress, we should regret knowingly to commit. Marie is interrupted in her intemperate demands for the Cardinal's dismissal by the unobserved entrance of Richelieu himself. The King attempts to temporise, but the Queen-mother repeats the demand in the Cardinal's presence. From that moment he vowed her destruction; he had probably not till then dreamt that she might prove so dangerous a foe.

The day of reckoning came. The Cardinal's triumph was complete, and his revengeful appetite is allowed to gorge itself with the best blood of France. Among the first of his enemies destined to feel his power was Marie de Medici; and now begins her second exile, an exile in earnest, and compared with

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which the former was but a pleasurable jaunt. In 1631 she fled from the Castle of Compiegne, where she had been detained a prisoner, and, during the remaining eleven years of her life, she never again set foot in France. For some time she found a welcome at the court of the munificent Isabella, Governess of the Low Countries; but even this refuge she imperilled by her unconquerable restlessness. Her only employment was in continual plots, together with her son, 'the false fleeting' Orleans, against the French Court; and nothing but the firm friendship of Isabella could have saved her from its consequences. On the death of the latter, however, her home and her supplies were at once cut off. The power of the dreaded Cardinal closed most of the courts of Europe against her. She was urged to return to Florence, but her altered circumstances rendered that distasteful. Repulsed by the Pope, after various wanderings, in the latter end of 1638 she took refuge in England;—an unfortunate time to choose, for the Puritanical outbreaks against Popery rendered her stay impossible. The Parliament, therefore, sent her to Holland, with an honourable escort; and here, on the reported pregnancy of Anne of Austria, Marie again allowed her hopes to revive. Ambition, Miss Pardoe observes, was only scotched but not dead in that unquiet soul. But it was now too late: every avenue of return to France had long been tried, and had failed. The feelings of Louis, never warm, had completely chilled under the combined influence of disease and the still more blighting whispers of the Cardinal, who now, himself on the brink of the grave, clung to his revenge with an ardour which only death could quench.

Poor Marie's last shelter was at Cologne, whither she had been driven by the renewed inhospitality of the Spaniard—her resting-place being the house of Rubens. The kind-hearted painter himself undertaking a journey to France to plead the cause of his patroness, finds himself, through the agency of Richelieu, summoned on a vain errand to Spain, leaving Marie without even tidings of his absence, hopeless, friendless, and penniless. Want and disease now rapidly completed the work which sorrow and neglect had begun; and in July, 1642, the unfortunate princess closed her career, in the sixty-fourth year of her age. Her persecutor, Richelieu, survived her only five months.

The Greek tragedian might have recognised in so mournful an end the retributive hand of the dread goddess Nemesis. To the more than mortal prosperity of the Medici would have been traced the original offence in the sight of heaven, while the blood shed by Catherine would have been represented as calling aloud for vengeance. It was true poetic justice that the instrument of

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divine wrath should be found in the once familiar friend and trusted adviser. But *we* must look upon these events with the unimaginative eye of the historian. We have said we do not appreciate in the light Miss Pardoe does those appalling 'contrasts' in her heroine's life upon which she so frequently and so feelingly dwells. We are not cold-blooded, nor have we yet supped so full of horrors as to be insensible to undeserved suffering. But we read in Marie's history nothing save that of an unruly woman, whom no experience could teach moderation, with as little of the genuine sensibility of her sex as of the sense to know the value of what she did not possess. Without absolute vice, she would, if she had had the opportunity, have proved (to use an expression applied to her daughter Henrietta) as 'pernicious' a trustee of power as it is possible to conceive. But, in her married life, her authority was, as we have seen, small; in her regency, fortunately for France, the continual factions and conflict of interest at Court counterbalanced that influence which would have proved most hurtful if all her subjects had been Concinis or d'Epernons. We cannot do better than describe her in the simple unadorned words of the Annual Register of the day. On the occasion of her arrival in England we find it recorded:—'Oct. 31. 1638, Mary de Medici, the Queen 'Mother of France came to London, and so to St. James's. She 'was looked on here as a meteor of ill signification, having been 'often observed to bring the sword or pestilence where she came. 'Her restless spirit had embroiled France, which became too hot 'for her. From thence, in 1631, she was driven to Brussels, 'where the Cardinal Infanta treated her honourably; but she 'was there so hunted and pursued by the imprecations and 'curses of the people, to the endangering of her person, that in '1637 she betook herself to the Prince of Orange,' &c. (*Rushw. Coll.*)

Important light is thrown upon Marie's religious character by a letter, in her own writing, addressed to her daughter Henrietta, on the latter leaving France to join her husband in England, of which we much marvel that Marie's biographer, with all her fondness for original documents, did not avail herself. We can only afford space for a few extracts. Our readers may see it in full in Miss Strickland's eighth volume of the 'Queens of England,' p. 22.

After recommending these her parting words to her daughter's special consideration, Marie writes:—

'On this earth you have only God for a father; but, as he is eternal, you can never lose him. It is he who sustains your existence and life; it is he who has given you to a great king; it is he who, at

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this time, places a crown on your brow, and will establish you in England, where you ought to believe that he *requires your service*, and there he means to effect your salvation.

* * * * * *

'He has retained you in the world in order to load you with his benefits; but as he has given you the utmost felicity, it behoves you to render him the utmost gratitude. It is but just that your duties are augmented in proportion as the benefits and favours you receive are signal. Take heed of abusing them. Think well that the grandeur, goodness, and justice of God are infinite, and employ all the strength of your mind in adoring his supreme puissance, in loving his inviolable goodness; and fear his rigorous equity, which will make all responsible who are unworthy of his benefits.

* * * * * *

'Remember that you are a daughter of the Church by baptism, and that this is, indeed, the first and highest rank which you have, or ever will have, since it is this which will give you entrance into heaven; your other dignities, coming as they do from the earth, will not go further than the earth; but those which you derive from heaven will ascend again to their source, and carry you with them there. Render thanks to heaven each day, to God who has made you a Christian; estimate this first of benefits as it deserves, and consider all that you owe to the labours and precious blood of Jesus our Saviour: it ought to be paid by our sufferings and even by our blood, if he requires it. Offer your soul and your life to Him who has created you by his puissance, and redeemed you by his goodness and mercy. Pray to him, and pray incessantly, to preserve you by the inestimable gift of his grace, and that it may please him that you sooner lose your life than renounce him.

'You are a descendant of St. Louis. I would recal to you, in this my last adieu, the same instruction that he received from his mother, Queen Blanche, who said to him often, "that she would rather see "him die than live so as to offend God, in whom we move, and who "is the end of our being." It was with such precepts that he commenced his holy career; it was this that rendered him worthy of *employing his life and reign for the good of the faith and the exaltation of the Church. Be, after his example, firm and zealous for the religion* which you have been taught, for the defence of which he, your royal and holy ancestor, exposed his life, and died faithful to him among the infidels. Never listen to, or suffer to be said in your presence, aught in contradiction to your belief in God and in his only Son, your Lord and Redeemer. I entreat the Holy Virgin, whose name you bear, to deign to be the mother of your soul, and in honour of her who is mother of our Lord and Saviour, I bid you adieu again and many times.

'I now devote you to God for ever and ever: it is what I desire for you from the very depth of my heart.

'Your very good and affectionate mother,

'MARIA.

'From Amiens, the 10 of June, 1625.'

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The remarks of the fair historian of the 'Queens of England' upon the above letter seem just and much to the point. We shall borrow them without comment: —

'The maternal tenderness and even the sublime moral truths which occur in this elegant letter ought not to mislead the judgment from the fact, that the spirit of the concluding section was a very dangerous one to instil into the mind of the inexperienced young girl, who was about to undertake the station of queen-consort in a country where the established religion differed from her own. It was calculated to exaggerate and inflame those differences; for wherever the word *Christian* occurs, *Roman Catholic* is exclusively meant; and the queen-mother evidently wishes to imply that in any country where the host is not worshipped, the deity of Christ was blasphemed, and that her daughter was going amongst a people whose creed was similar to Deists or Jews. Part of the letter evidently urges the young queen to enter England as if she were a missionary from the Propaganda, about to encounter the danger of martyrdom; and a comparison is drawn, in most eloquent language, between Henriette and the English, and her ancestor, St. Louis, and the Heathens; and, instead of inculcating a wise and peaceful tolerance, the utmost zeal of proselytism is excited in a young and ardent mind. To this letter may be attributed the fatal course taken by the young queen in England, which aggravated her husband's already difficult position as the king of three kingdoms, each professing a different faith.'

To write a letter with elegance and at the same time with all the spirit of a Catherine de Medici was just Marie's *forte.*

We now turn from the matter to consider the manner in which the work before us is executed. Miss Pardoe will haply do us the injustice to think that we took up our pen with as unrelenting a spirit of simple hostility as that with which Richelieu pursued her poor Marie. We can assure her, with all sincerity, that nothing but Miss Pardoe's reputation, of which she is inclined to be prodigal, has led us to say thus much. Her principle of sacrificing every thing to a love of painting and description should have made her especially choice in the language she uses. We feel justified, therefore, in drawing her attention to it. We do not mean her general style, which, though far from perfect, and often bearing marks of inconsiderate haste, is still, on the whole, agreeable, sometimes forcible, and perhaps always worthy of the subject. We shall content ourselves by saying that her readers cannot fail in many places to notice the absence of that unfailing, correct, and chastened taste in words which is so peculiarly the charm of a lady's pen.

Before we conclude we must enter our formal protest against the length of the work before us. If we were asked to determine how much space should properly be devoted to such a

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subject, we should refuse to notice a question so invidious. And far be it from us to wish to establish any arbitrary rule to restrain an author's powers. It is impossible, too, we well know, to sail under entirely bare poles. But for any useful way of treating this subject we feel sure a far smaller compass would have been required. We cannot at least see any purpose which is served by the present method. Reading the life and fortunes of Marie de Medici in Miss Pardoe's pages, reminds us of a process which doubtless many of our readers have seen at marble-works, by which massive blocks of the coarsest material are sawn through with great labour and expense, to get at one small vein or even spot of a peculiar or rare colour.

Whatever be the cause of the error, Miss Pardoe can hardly plead inexperience as an author. Nor indeed is it fair that the author should bear the whole blame. We suspect that the Procrustean system of the 'novel in three volumes octavo' is extending into other branches of light literature: the presence of any thing like truth or fact in any narrative of that character being supposed to justify the 'large octavo' volume. This ill practice is much aided by the present plan of reading, which has withdrawn many of the safeguards of literature, and renders the patronage vouchsafed to the latter (heaven save the mark!) too abundant and undiscriminating. Few people now buy books; but the demand has increased tenfold upon what it was seventy years ago. The mass of the reading world are supplied from the subscription-library or the book-club, and do not therefore exercise the same direct influence upon the publisher, and, through him, upon the author, as formerly. The works thus obtained not necessarily becoming the property of the person into whose hands they fall, the same high character is not sought for; and by the system of circulation now in vogue nearly all the risk attending the publication is done away, for the publisher can ensure a sale to an ascertainable amount, since no librarian is long safe from the demand for a new work by a known author. Thus books are 'made up' for the market — advertisements and indolence on the reader's part do the rest; until literature assumes the character of a manufacture worked by a firm, in which the *sleeping* partner gets a disproportionate share of the profits.

To return to Miss Pardoe: we regret that she has expended so much time and pains as she tells us in her preface, for we cannot congratulate her on having, on the strength of these volumes, earned a lasting position in the library of posterity, when the glories of blue and gold shall have passed away. The

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subject, we have shown, treated as a history, is petty and barren of interest; as a personal memoir, it is absolutely null. By a natural consequence the main part of the work is weary, stale, and unprofitable. But what if, as we shall not be surprised to hear, we have, with perverse stupidity, mistaken the intention of the book, and that it should be described as meant to form a sort of agreeable link in the delineation of French history between Miss Pardoe's previous works on the reign of Francis I. on one side, and Louis XIV. on the other? We shall not find any such claim difficult to meet. We propose a simple practical method. *Solvetur legendo.* All we ask is, that our readers will open Miss Pardoe's pages, and judge for themselves. We have heard Miss Pardoe's works called the 'boudoir' style of history: this is the first of the series we have read, and cannot therefore pretend to say what such a term, when defined, would mean; but this we say, that if it is to the taste of such a school that we are indebted for exaggerated 'contrasts' and the frequent moralising upon the mutability of things human, we shall know a 'boudoir' historian again when we meet one. But if Miss Pardoe desires the credit of an historian in earnest, she must omit such trifling as her present work. Between 'Mrs. Mark-'ham,' the delight of the young, and the graver writers for older heads, there is abundant room for an easy and popular work on the subject of French story. We do not simply flatter Miss Pardoe when we say that, as far as we can judge, she might well perform such a task. But assuming it, she must consent to take it with all its responsibilities, abide by its laws, and fairly maintain its legitimate character. She must neither avail herself of the licence of the novelist while she affects the 'reliableness' of the historian, nor must she so shuffle up the duties of the latter with those of the memorialist as to be able, when arraigned for delinquencies in either character, to claim the privileges or plead the exemptions belonging to the other.

ART. VII. — 1. *Political Elements, or the Progress of Modern Legislation.* By JOSEPH MOSELEY, Esq. London: 1852.

2. *The true Theory of Representation in a State.* By GEORGE HARRIS, Esq. London: 1852.

IT seems scarcely incumbent on any Ministers in these days to cut out for themselves gratuitous employment. We should have fancied that the urgent and inevitable duties of the hour would have left little either of strength or inclination for *hors-*

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d'œuvres. The natural impression of a spectator who contemplates our complicated and imperfect political organisation — the instruments that have become rusty — the arrangements that have become obsolete, and yet are still extant — the institutions which have become inadequate, perverted, or corrupt — the thousand abuses, at once universally admitted and practically grievous, which clamour for attention, — would be that, in the amendment and rectification of these things, — in bringing up antiquated institutions to the requirements of the day — in meeting the actual social wants of the community — in keeping the machine of public life in decent and 'tenantable' repair, — our Statesmen might find ample scope for all their energy, ample occupation for all their time, ample field for all their benevolence, patriotism, and zeal, without opening the vexed question of the franchise, or undertaking to remodel the vital organ of the State.

Yet, fully admitting and strongly feeling all this, a closer observation of the matter will show us many reasons which make it impossible either entirely to shelve or long to postpone the question of Parliamentary Reform. The consideration of it has been recommended in a speech from the throne; the official Whigs, as a party, are pledged to entertain it, and when in power must bring forward some measure on the subject; if the Tories are in, the Opposition look to it as a natural and certain battering-ram for ousting them from office; and if a neutral or 'fusion' administration should be formed, the public will expect them to be prepared both with a creed and a policy upon this matter. Moreover, there is an active and influential section of politicians in Parliament who look to a larger infusion of the democratic element as the only means through which they can hope to carry out the schemes and systems of policy which they have at heart: one man is bent on 'cheap government;' another is resolute for University Reform; a third is devoted to stamping the principle of isolation on our foreign policy; — and all believe, rightly or wrongly, that it is only by greatly increasing the Radical strength in the House of Commons that they can hope to attain their ends. Out of Parliament, again, there are many energetic demagogues who have their own peculiar aims, and who are willing to move heaven and earth to procure an extension of the suffrage, in the confident belief that they will be able to command and direct the votes of the newly admitted electors. Finally, a considerable portion of those who already possess the franchise are desirous of its extension to those below them, in the hope that, in those whose claims to a

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participation in their privileges they thus advocate with such apparent generosity, they will find ready and certain allies.

While these various motives combine to create a strong and numerous party in favour of a new Reform Bill among the more advanced or extreme politicians, other considerations induce many of the more cautious, conservative, and philosophic of our public men, to look upon such a measure as not wholly undesirable. Though loth to run the risk of evil even for the sake of admitted good, and though they feel that our representative system may be said to do its work well, in a coarse rough way, and on the whole to produce in practice a tolerably decent and serviceable aggregate result, yet they are, on the other hand, conscious that it contains, as at present constituted, much that is imperfect, some things that are indefensible, and not a few that are absolutely noxious; that it presents many vulnerable points, many handles for ill-disposed assailants, which it were well for the sake of public peace and safety to remove; that in its periodical action it gives occasion to much suffering and to much sin which, for the national honour and well-being, ought, if possible, to be abated; that the elective franchise is now possessed by many unworthy men, used for many unworthy purposes, acted upon by many unworthy influences; that it is often indefensibly withheld, and often unequally, sometimes unwisely, allotted;—and, on the whole, that many most beneficial amendments might be introduced, not only without danger to the stability of our Constitution, but to its manifest strengthening and consolidation. Altogether, then, we may regard it as a settled point that the subject must be faced, not shunned; the problem must be solved, not evaded. And if so, there can be no doubt that it much concerns the national welfare that it should be considered in a thorough, not a perfunctory manner, and should be treated not conventionally but philosophically, and with a constant reference both to the fundamental principles of our social organisation, and to the ultimate purpose which it is the desire of all parties to attain.

In a recent Number of this Journal, we endeavoured to trace the changes in the constitution and action of the House of Commons consequent on the Reform Act of 1832, and to demonstrate, in opposition to the common democratic theory, that the elective franchise was not a right inherent in every man by virtue of his residence in a free country, but an instrument for the attainment of a national end. We touched briefly on a few of the objects to be kept in view in any new plan of Representative Reform, and on some of the dangers to be feared from seeking that reform in what appeared to us a radically wrong

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direction. In recurring to the subject now, after so short an interval, we wish to develop rather more at length some of the considerations then cursorily noticed, and to offer a few suggestions which it appears to us ought to be familiar to, and be well considered by, the public mind, before we can with safety or with profit adventure on the field of a second Parliamentary Reform. We do not expect for the more novel of these an immediately favourable reception, or a prompt and early acceptance; we know that in this country whatever is new and without the range of ordinary precedent is, at first sight, startling and repellent;

> 'But, bolder grown, familiar with its face,
> We first endure, then "study," then embrace.'

It is not till a proposition has been long before the nation, has by time and juxta-position worked for itself a place in the popular thought, has ceased to be a sudden and discomposing visitor, and has become a well known and accustomed guest, that it has any chance of obtaining a fair consideration and a patient hearing. In the public mind of England seeds require to lie long before they germinate; but if a competent period be allowed them, and if they are really recommended by any inherent truth and value, their day of growth and favour is certain to arrive, and their victory is all the surer and firmer for its long delay. The propounder of a strange idea, or the proposer of a novel expedient is at first looked upon as wild; if he persist, he is voted a bore; but if his idea or plan be really good, and if he is endowed with the requisite degree of pertinacity, his turn comes and his triumph is achieved.

It is one of the most marked characteristics of the national mind — and one which operates strongly to blind us both to the position in which we stand and the direction in which we are drifting—that we continue to live in the ideas and to repeat the formulas of our ancestors, long after the circumstances which gave to those ideas and formulas their sense and meaning have entirely changed. We still retain the habit, naturally and inevitably generated by our historical antecedents, and to a great extent still just, of connecting the reform of abuses and the redress of grievances with the progress and preponderance of the popular element in our Constitution; and we forget that 'the progress of the popular element' signifies a very different thing now from what it meant in 1832. This is the first point which we wish to impress upon our readers. Before the first Reform Bill, the vast proportion of the middle classes were excluded from any share in the representation. The House of

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Commons was returned in an overwhelming proportion, *first*, by the counties, where the Electors were mainly either landed gentlemen, or small forty-shilling freeholders dependent upon and wholly influenced by them; *secondly*, by close or rotten boroughs which elected the Candidate named to them by the aristocratic patron or proprietor of the place; *thirdly*, by boroughs which were entirely in the hands of the Government for the time being; and *fourthly*, by large towns whose electors were sometimes pot-walloppers, but oftener freemen or burgesses, a privileged and limited class, whose votes were for the most part either always on sale, or under the undeniable influence of the municipal authorities. It is obvious, that under such a system the selection of the House of Commons would be almost exclusively in the hands of the aristocracy and gentry, and those of the town classes whom they could influence or control; and it is notorious that it was so: the aim and operation of the Reform Act of 1832 was to take it, to a great extent, out of the hands of these parties and place it in that of the *middle* classes. This was effected partly by the complete or partial disfranchisement of those boroughs which were the admitted private property of the great and noble, and whose members they appointed as directly as a patron presents a clergyman to his incumbency; partly by the abolition of scot and lot voting; and partly by the extension of the franchise to farmers (50*l.* tenants) in counties and to 10*l.* householders in the represented towns. It was proposed still further to promote the same object by the *dis*franchisement of those town voters (the old freemen), who were notoriously under the influence of the higher ranks, as it had already been promoted, in anticipation, by Sir Robert Peel's clauses for disfranchising the lowest and most dependent class (the forty-shilling freeholders) in Ireland. The purpose and intent of the Act of 1832, therefore, was simply to give the franchise to the middle class—*to place the command of the representation in the hands of the entire aggregate of the educated portion of the community* — from the intelligent tradesman and thriving farmer up to the princely landowner and the wealthy merchant. As far as it touched the lower or operative classes at all, its operation was to disfranchise, not to enfranchise, them. Thousands were disfranchised (through Schedule A.) by the Bill as it actually became law: thousands more were intended to be disfranchised by the measure in the far preferable form in which it was originally propounded, on the ground of their notorious corruptibility or dependence. Thus, to state it broadly, the operation of that celebrated plan was to curtail the repre-

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sentative power of both the higher and lower orders in favour of the middle ranks. The 'popular element' in our Constitution, which it so unquestionably increased and made preponderant, was not that of the masses or the working men, but of the intelligent, cultivated, and propertied people below the ranks of the aristocracy and gentry, but above that of the labouring poor. The transfer of power was not from those who had property and education to those who had neither; but from the men of large property and opportunities for refined culture (aided by their serf-like and dependent vassals) to the men of competent means, moderate education, and acute and shrewd but by no means, on the whole, of enlarged or comprehensive intelligence.

Now, a new Reform Bill, it is plain, may be so framed as to be either a continuance and carrying out, or a reversal, of this policy. A further disfranchisement of certain small and corrupt boroughs would be the former. So would a measure to enfranchise lodgers of the class of shopkeepers and those above them. So would a measure to confer the franchise on all who pay direct taxes—supposing taxation to remain apportioned as at present. So would a measure (if one could be framed,—of which we are very sanguine) extending the suffrage to the *élite* of the working men—to those among them who have given proof or presumption of the possession of that property, education, or intelligence which entitle them to take rank with the middle classes. So, possibly, as farmers become more independent and leases more general, *might be* a measure lowering the franchise in counties from a rental of 50*l.* to one of 25*l.* But any material reduction of the present borough qualification—any reduction large enough to produce any marked change or have any very decided operation in regard to numbers as numbers—would (it is not difficult to perceive) be a reversal of, a reaction from, a direct antagonist to, the policy of the first Reform Bill. It would take the command of the representation out of the hands of the classes in whom that law had vested it. The measure of 1832 was at once *conservative* and *popular:* the measure we are speaking of may be just, wise, and necessary (as to which we here offer no opinion), but would assuredly be at once *democratic* and *retrogressive.*

Now, there can be no doubt that the education of the people has advanced since 1832: school instruction has been more generally diffused, and its character materially raised; books have become much cheaper and are more widely spread; savings have multiplied, and property has been acquired by

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many formerly who had little or nothing*; while political action and discussion have considerably sharpened and serviceably trained the faculties of the mass of the population. Their conduct on several trying occasions during late years, has shown this change in a strong and favourable light. All classes have participated in this improvement: the lowest class, *perhaps*, as much as any. To assume, however, that a 7*l.*, or a 5*l.* householder *now* is, therefore, on a par as to intelligence or property with a 10*l.* householder *then*, and is in consequence an equally desirable recipient of the franchise, involves a fallacy, which a little reflection and observation will enable us to clear up. And to act upon this assumption in any new movement towards representative reform, involves results, as we shall proceed to show, which it may possibly be right to encounter, but which it is to the last degree important should not come upon us as a surprise, but should be encountered, if we resolve to encounter them, with our eyes open.

In the first place, the 10*l.* franchise drew a broad, arbitrary, and decisive line of demarcation between the two great divisions of the urban population—those who did and those who did not possess accumulated property—those who did and those who did not live by their daily labour. It is true that this line may not have been drawn precisely at the right place, and that in many towns it might have been more fitly placed 2*l.* or even 3*l.* lower; but still the rough effect and probably the general intention of it was such as we have described. On the one side of the line lay all the upper and middle classes, the gentry, the professional men, the shopkeepers, the publicans, the small tradesmen; all who might fairly be assumed to have some political opinions and some competent education; all who were not dependent on the will of a master—all who lived upon the income arising from accumulated property, or upon the proceeds of industry and the profits of trade, as distinguished from the daily or weekly wages of labour (a rough distinction unquestionably, but still an intelligible one): *on these the franchise was conferred.* On the other side lay those whom, for want of a better designation, we must speak of as the working classes, (acknowledging at the same time how incorrect the epithet is when used as a distinctive one)—the operative, the artisan, the mechanic, the agricultural labourer, who worked for individual or associated employers, and who, as a rule, possessed no accumulated property: *from these the franchise was withheld.* The

* The deposits in Savings' Banks, which were under 14,000,000*l.* in 1831, had reached 28,000,000*l.* in 1851.

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only individuals properly belonging to the lower orders, who under the Reform Act of 1832 exercise the suffrage, are those few mechanics or artisans who have raised themselves so far as to live in a more expensive house than is customary among their class,—the freemen of old boroughs, and the really forty-shilling freeholders of counties.

Now, as we have said, in many towns the arbitrary line then drawn might be fixed somewhat lower, so as not only to maintain the same demarcation between the classes, but even to effect this demarcation still more accurately than at present. For example, a *5l. rating* is generally equal to or indicative of, a *7l.* or *7l. 10s. rental*; and a *6l. rating*, of an *8l.* house; and so on; and these dwellings (in the smaller towns at least) are commonly inhabited by those who can scarcely, according to our definition, be said to belong to the labouring classes. The few facts, however, which we have been able to collect, and which we chiefly owe to Mr. E. Baines, seem to show that in the manufacturing districts at least, a franchise based upon a *5l. rating* or a *7l.* rent, would at once open the door to a new and a very numerous class. It appears that such a franchise would raise the number of registered electors in

Leeds -	from	5,200	to	10,000
Bradford -	-	2,694	„	6,776
Halifax -	-	1,084	„	1,434
Huddersfield	-	1,020	„	2,000
Sheffield -	-	4,000	„	7,500
Liverpool	-	15,820	„	30,000
Glasgow -	-	12,500	„	30,000
Manchester	-	12,000	„	25,000

All this, however, is beside the mark; and in no degree invalidates the essential proposition—the broad fact, which we desire to elucidate and impress, viz. that, although national education has been greatly improved and intelligence spread among all ranks since 1832, yet *a 10l. householder and a 5l. householder, now, as then, represent wholly distinct classes;* and that to lower the qualification from the one figure to the other would not be, as is often assumed, simply to admit to the franchise large numbers *now*, of the same sort, position, and character as were admitted *then*, but to admit precisely people of the sort, position, and character who were *excluded* then;—a step not to be taken, it is obvious, without a clear comprehension of its bearing and a full consideration of its consequences.

Nor does it in the least signify, as affects either the principle or the ultimate results of the measure, what is the precise figure at which we now fix the franchise-giving rental. If the qualifi-

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cation be lowered *on the ground* that it ought to be lowered as education spreads downwards, and as the lower orders become better instructed and more intelligent, then, since this process is always going on, it is obvious that the whole principle of universal, or at least of household suffrage is conceded; and the rest is merely a matter of time and preparation. The argument goes the whole length of the assertion, that as soon as the labouring classes shall have reached the average degree of intelligence and education fitting for and attainable by their class—as soon as they are, as we all hope in time to see them, intellectually what labouring men should be—they will be entitled to, and must be endowed with, the elective franchise. If the 8*l.* householder now is on an intellectual level with the 10*l.* householder twenty years ago, (which we by no means intend to dispute), it is equally certain that, if we do our duty as a nation and as citizens, the 5*l.* householder twenty years since will be on a par with the 8*l.* householder now; and, therefore, whether or not the application of our principle admits the mass of the working classes to the franchise *now*, there can be no question that it will admit them *then*.

Their admission, therefore, *if the principle be sound*, is a political fact to be faced either now or in a few years hence. Moreover, it will be allowed on all hands, that this admission, when conceded, must be honest and *bonâ fide*. What is granted in name and theory, must be granted in reality and in practice. To endeavour to deprive the people by a side wind of a privilege, power, or function, which we have formally conferred upon them, or to attempt to hamper and control them in its exercise, would be neither safe, feasible, nor decent. They must, therefore, be admitted to the franchise under arrangements which will secure them against any undue influence in the exercise of it, which will make them genuine and *bonâ fide* possessors of it on their own account, not the mere proxies, puppets, and representatives of others.

Now, (as we showed fully in a former Paper, and need not therefore enlarge upon now) since the working classes are, and under the existing arrangements of society will always be, more numerous than any other class in the community, and probably than all the other classes put together, it follows that such an admission of them to the franchise as is involved in the principle we are considering, whether we call it universal suffrage, household suffrage, or 'complete suffrage,' would not merely admit them to a share, and a large share in the representation, but would throw the entire or the preponderating control over that representation,—in other words, the supreme power of the State,

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into their hands. Have then those reformers who laid down the principle, contemplated this legitimate deduction from it? and are they prepared to accept it?

There is, no doubt, one description of reformers who have perhaps never fairly faced this result, but whose doctrines nevertheless will not allow them to shrink from it when plainly placed before them. Those who base their arguments upon abstract right and naked arithmetic; to whom the will of the numerical majority is sacred; and in whose estimation one man is as good and as competent as another, and his claim to an equal share in the government inherent and indefeasible,—will of course maintain that the mere circumstance of the working classes being the most numerous entitles them, in that exact proportion, to the lion's share in the representation. Consequences with them are nothing: principle is everything. It is idle to talk of dangers, however vast, imminent or certain, to men who take their stand on what they consider the inexpugnable entrenchments of justice. With these reasoners we have at present no controversy, we consider that we stormed and demolished their positions in our former Paper.

There is another class of reformers equally prepared to defend the principle which we have shown to involve 'complete suffrage,' even if the practical result should be, the handing over the election of the House of Commons to the lower and more ignorant classes of the community. Not that in their hearts they believe these classes to be really the fittest for that solemn function; not that they conceive that, good or evil, it is their inalienable birthright; but they suppose that they would be at least as honest and unselfish as the present possessors of the franchise, and they assume further that the undeniable ignorance and incompetency, relative or absolute, of the great mass of the lower classes, would be corrected and compensated by the leaders they would choose. In other words, this section of the advocates for an extension of the suffrage confidently believe that *they* would be able to guide, dictate, and control the votes of the new electors; that the enfranchised masses would be in their hands like the passive potter's clay; that they would be to them obedient pupils, docile instruments, whose blank ignorance they might inscribe with their own doctrines, whose principles they would be permitted to form and fashion in their own mould, and whose short-sighted impetuosity and shallow follies they would at all times be able to compress and curb. Men who entertain expectations like these must have read the history of the past to little purpose, and the living history that is before their eyes to still less. They would, perhaps, guide the

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masses only as long as their objects were identical, and their plans marched side by side. They would lead them only as long as they were going the same way. The moment they wished to pause or turn aside, or retrace a false step, or avoid a dangerous advance,—the moment that by the attainment of their own purposes they were changed from innovators into conservatives,—the moment they began to think and urge that 'enough had been 'done,'—that instant they would be cashiered by the followers whom they flattered themselves they would have been able to control, whose more vehement tendencies they had hoped to keep in check, and whose ulterior designs they had imagined themselves acute enough to detect and strong enough to thwart. Other leaders more 'up to the times,' less resistent to the 'pressure from 'without,' would be installed in their places; and they, like their predecessors, would be left stranded on the shore, discarded and forlorn, to show how far the tide of democratic action had swept past them. When was it ever otherwise? When was a democratic party ever led by the moderate among its ranks for more than the first few steps of its career?

But our present remarks are not intended for either of these sections of the great army of Representative Reformers, but for those who, believing, like ourselves, that an extension of the suffrage is both just, desirable, and necessary, are yet anxious that that extension should be so arranged as to be defensible, beneficial, and safe; who, believing that our electoral system is to be valued only as an instrument for the attainment of good government and the maintenance of our ancestral liberties, would deem no change an improvement which endangered those cherished ends. And it is to these, our fellow-labourers in the liberal cause, that we address the question: Are they prepared to concede a principle which involves, either now or at a future day, and by progressive and inevitable steps, the *transfer* of the representation into the hands of the poorest, the most numerous, the least instructed, the most exciteable, and the most misleadable, class of the community?

Now, we will suppose the labouring classes to be as adequately educated as we are all of us endeavouring to make them, as well trained in their social and moral duties as they would be if Church and State had always done their duty by them, as familiar with political discussions as a habit of reading the newspapers in their spare hours can render them;—though the first is still a distant and problematical perspective, and the latter may not be altogether the most desirable occupation of their scanty leisure. We will assume, moreover, that the social aspect of Great Britain has been so far improved that the mass

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of the population is no longer necessitous, envious, or discontented; that their living has ceased to be either precarious or inadequate; that hopeless poverty no longer renders them eager listeners to any project, eager advocates for any experiment, eager promoters of any innovation; — all which we some day hope to see. Still, when this 'blessed change' shall have passed over the troubled waters of society, and educed light and order out of gloom and chaos, the main fact will remain unaltered and unalterable: the working classes will still be only one of the many orders which constitute a well-organised community; their real interests, as seen with the eyes and from the position of a Superior Intelligence, will not, it is true, be different from the real interests of the other classes, but *their views* of those interests will be different; moderately worked and amply instructed as they may be, *compared with their present case*, they will still and always be the *least* leisurely and the *least* instructed, *compared with the other sections of society:* the highest culture will not be theirs; the deepest and knottiest problems of national life must remain insoluble by them; the most profound and comprehensive ideas of policy demand for any due appreciation and conception a knowledge and a meditation which circumstances must place permanently beyond their reach; and therefore, to sum up the whole, it never can have been the purpose of Providence, nor can it conduce to the welfare of man, that the basement class of the social edifice should override and overrule all the others — that 'those who toil should govern those who 'think,' — that those who labour with the hands should have the supremacy over those who labour with the brain.

Besides this injustice and reversal of the natural order of things, Universal Suffrage, or any extension of the suffrage which should deserve the name of 'complete,' exposes the State to two dangers, which at first appear to be opposed to each other, but which in reality are identical in their origin, and not very different in their ultimate results. Both are equally fatal to liberty and to high civilisation. One leads to tyranny directly, the other leads to tyranny through reaction. The first danger is, that the populace of electors will be used and led by demagogues; the second is, that they will be used and led by despots. The first risk is proclaimed by every page of history, and is now again faintly shadowed forth in Switzerland and America. The present position of France is perhaps the best modern exemplification of the second. Both act precisely in the same way — by swamping the propertied and educated classes. On the first it would now be superfluous to dwell: we will make only two or three observations, and pass on. Those who point with

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triumph or who look with hope to the success of the great popular experiment in America — who appeal to it as showing how safely and how beneficially the concerns of a great country may be carried on under a government chosen by universal suffrage — cannot, we think, be men whose observation is very close or patient, or whose standard of requirement is very high. We yield to none in a full and generous appreciation of the many excellences and the wonderful energies of our Transatlantic brethren. The United States may well be proud of their Past, and sanguine as to their Future. But with them, it must be remembered that the experiment has been tried under a combination of circumstances almost inconceivably auspicious. They were of Anglo-Saxon race; they were always free; for generations they had been inured and trained to self-government; they were descendants of the religious and self-controlled and self-denying Puritans; and they were pressed upon by none of those social or material difficulties which beset older and more populous countries. With them every one was well off, or might easily become so. Yet even there, is it not too unhappily notorious that the tone of public morality has been gradually lowering since the days of Washington? that the standard of national policy is far less wise and worthy than it was? that the ablest, purest, and noblest of her sons habitually retire from public life, or are snubbed or neglected if they enter it? and that their greatest statesmen are now never chosen for the highest offices or honours of the State? Since the departure from the stage of the old race of revolutionary worthies, America has had three statesmen of high capacity and European reputation, — Clay, Calhoun, and Webster: and all have aspired to the Presidency in vain.—The politics of Switzerland have been so little noticed amid the exciting movements of the greater States surrounding her, that few are aware of the recent triumphs of pure democracy in many of her cantons, nor how deplorably both her character and her prospects have been compromised in consequence. In Geneva every politician known under the old *régime* has disappeared, and every man of official talent or experience has been dismissed. In Berne it is not much better. In the Pays de Vaud, as in Geneva, the government has fallen into the hands of the extreme radicals, and the more moderate and better educated classes have been entirely *superseded* by the populace and its leaders. The consequences will take some time to develop themselves. Meantime the tendency and the operation are obvious enough.

As far as England is concerned, we have a very high opinion of the strong sense and general good feeling of a great propor-

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tion of our working classes, but nothing we have seen will warrant the belief that they would escape from being led and *exploité* by most unworthy demagogues. They are ignorant, and they feel themselves to be so; they are lazy, and habitually leave it to others to think for them; they are mistrustful of their superiors in rank, and are apt to listen eagerly to those who would foster and take advantage of that mistrust; and they belong to a people whom we do believe to be, with all their practical talent, the most gullible in creation. Moreover, few among them have either moral courage or independence enough to stand alone or run counter to the presumed opinion of their fellows. The proceedings in the late strike of the Amalgamated Engineers were not encouraging for those who hoped much from the progress of education among the people. The parties to it were, as a body the most intelligent, skilful, and well-conducted of our artisans, in good circumstances, in receipt of high pay, many of them well educated for their station, and accustomed to read and to discuss. They knew well the almost invariable history of such attempts; the certain misery and evil such attempts always entail; the defeat in which they nearly always end. Their demands were, in some points, obviously oppressive and unjust to their fellow-workmen; *a great proportion of them* (we believe the majority) *were averse to the contest, and were conscious both of the folly and the wrong.* Yet they suffered one or two self-elected leaders, (who are always forthcoming as soon as money has been accumulated by these bodies,) to make use of them as completely as they themselves make use of the tools of their handicraft; to put forth in their name demands which they knew could not be complied with; and to absorb and waste in this foolish strife the funds which their self-denial had laid by for times of natural pressure and distress. They permitted all this with their eyes open—or half open, and chiefly because they wanted the resolution to say 'No,' when the more bustling and noisy of their fellows were saying 'Yes.' And yet these men were unquestionably, as far as wealth and intelligence are concerned, the *élite* of our operative classes, and precisely those whom the next step downward in a rental qualification would endow with the franchise: and their franchise would, we may assume, be used by Mr. W. Newton exactly as he has used their funds.

Let us turn to the other operation of Universal Suffrage, as exhibited by France. The contemporary history of that country is, indeed, a perfect mine of political wisdom; but, like those of Old Mexico and Peru, little worked by the natives. To foreign students and standers-by, however, the lessons it affords are as invaluable as they are various. While reading her

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annals for the last sixty years, we feel as if we were admitted into some vast dissecting room, such as that over which Majendie once presided, where physiological experiments are carried on on a gigantic scale, and where operations of every conceivable degree of cruel ingenuity are performed on the unhappy victims for the benefit of a watchful and excited audience. Of all the curious lessons which France is now reading to the European world, none is more curious and important than that regarding the effect of Universal Suffrage. She shows that this which, in the popular creed, has always been represented and valued as the great instrument and security of freedom, is, on the contrary, one of the surest means and sanctions of tyranny. She holds it forth to the world as the MODERN BASIS OF DESPOTISM —firmer, broader, craftier than the old one. She proves that it is not only no guarantee against oppression: it may be made its heaviest and sharpest weapon. Far from bringing hope to an injured and trampled nation, it may put the blackest seal on its despair. In place of securing equal justice and general prosperity, it may simply pass the flattening iron over society, and present the most flagrant specimen of class-legislation which the world has seen. Universal Suffrage is likely to bring about any where, and promises to bring about in France, an alliance between an ambitious chief and the ignorant, improvident, exciteable masses of the population, to the oppression, discomfiture, virtual disfranchisement, and possible spoliation of all other sections of the community.

For, as we have already pointed out, the working classes — daily labourers for daily bread — form everywhere, more especially in energetic, industrious, progressive nations, the vast numerical majority of the population. They comprise nine-tenths of the *numbers*, but only a fraction and segment of the *nation*. For every nobleman, there are a thousand peasants; for every squire, a thousand labourers; for every master manufacturer, a thousand artisans; for every student, statesman, philosopher, journalist or poet, a thousand incompetent and uncultivated units; for every wise and just man, a thousand ignorant, a thousand selfish, a thousand rash. A ruler, therefore, who allies himself to the many and ignores the few — who appeals to the judgment, flatters the feelings, falls in with the prejudices, fosters the superficial interests of the *nine-tenths*, and neglects the wishes, despises the opinions, and sacrifices the welfare of the *one-tenth* — may be strong in the strength of overwhelming numbers and consecrated by the choice of disproportionate millions, and may yet be, not the *Elected* but the *Reprobated* of the NATION — may be supreme Chief in defiance of the solemn

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and earnest disapproval of whatever is good, whatever is great, whatever is wise, whatever is truly noble and just, throughout the length and breadth of the land. He may have been chosen in an open contest; the ballot may have been genuine; the election may have been fair; the majority in his favour may have been enormous; his rule may thus have every conceivable sanction which the *vox populi* can throw around it: — and yet he may be the relentless enemy, the merciless suppressor, of all that is noble and chivalrous in the brave and long-descended; of all the finer fancy and the loftier intellect which have enriched the literature and extended the influence of the nation; of all the spirituality which would purify her faith, all the high science which would beautify and regenerate her life, all the unfettered enterprise which would augment her wealth, all the true grandeur which would illustrate and dignify her history; of all that freedom of the mind without which national existence is mere stagnation, dishonour, and decay. He may array against his broad-based throne every man who is honoured for his virtues, every man who is celebrated for his genius, every man who is valued for his services, every man who in any department has shed light and lustre on the age; he may sacrifice the loftiest moral to the lowest material considerations; — but so long as he panders to the passions, so long as he enlists the cupidity, so long as he aggravates the foolish fears and delusive hopes, so long as he studies the momentary physical interests, of the masses, — so long will Universal Suffrage throw its halo of impure and fallacious sanctity around him; so long may he call himself the chosen representative of the nation, though execrated and disowned by everything that gives to the nation life, reality, and reputation. When Louis Napoleon seized his power, he had on his side, we cannot doubt, not only the vast majority of the lower orders, but many of the middle ranks, some among the higher, and nearly all the commercial class. Many of these he has already alienated and alarmed; and it is more than probable that the ulterior measures which he contemplates or may be driven to contemplate may alienate still more. But when all these have fallen away, six millions out of seven millions of voters will still remain. Louis Napoleon will still be the 'Elect of France' — so far as numbers can make him so. Will then the liberal Press, which Universal Suffrage has enabled him to gag; will the genuine Republicans, whom it has enabled him to put down; will the theorists and politicians, whom it has empowered him to imprison and to banish, sing its praises or proclaim its sacred inviolability again?

France is not the only country where this inherent vice of

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Universal Suffrage has been shown; nor is Louis Napoleon the only ruler who has formed an alliance with the lower orders of society to enable him to control the more respectable of the working classes, and the middle and higher ranks. In many countries, and at many periods, the *prolétaires* have been found the ready tools and the natural support of despots. Seeking only for material comfort and personal well-being, content as long as they feel no pressure and are threatened with no deterioration in their social state, untroubled by aspirations, and indifferent alike to political ameliorations and to mental freedom, — they have generally shown little disapprobation of the tyrant who never oppressed or spoliated *them*, and little sympathy with sufferers under an iron rule which, towards them, was sedulously softened. The Lazzaroni at Naples, have stood steadily by Ferdinand in all his worst atrocities. His crimes and cruelties never pressed on *them;* as long as they could obtain a mouthful of maccaroni or of water-melon, what was it to them that nobles, because they had thirsted after the forbidden cup of liberty, were thrust into loathsome dungeons? What did the censorship of the press, or the prohibition of foreign books, signify to people who could neither read nor write — whose only necessity was food — whose only intellectual luxury was listening to a story-teller? — In Austria, too, and in Lombardy, the labouring people were generally well-off, and the government took care to keep them so. They cultivated their fields in peace, the taxes were not burdensome to them, they sat under their vine and fig-tree when the labours of the day were done, the police-spy and the insolent gendarme seldom interfered with them, or if he did, they were too much inured to submission to resent the interference. The leaden despotism which crushed or maddened their superiors — which condemned men of high capacities and lofty aspirations to fritter away life in the *café*, the casino, or the ball room; which sent men of fiery genius to antiquarian research as the only safe channel for their energies; which punished intellect with civil incapacity, and earnest speech with exile or the dungeon; which trod out every spark of that vitality which alone makes nations great and human history a progress — was a matter wholly out of their range of interest or concern. Naturally enough, they had no sympathy with wants which they had never felt, no tolerance for discontent which they could not comprehend. So, where national antipathies did not step in, they for the most part stood by while the battle was fought out over their heads, or joined zealously in defence of a tyranny under which *they* had never suffered, and the very nature and pressure of which was to them a mystery.

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These reflections might easily be pushed further. But our present purpose was merely to show the defect and fallacy inherent in the common estimate of Universal Suffrage; and how easily the most ruinous and pestilential tyranny may be built upon a basis which at first sight seems the freest and fairest of all.

But further, the question of lowering the franchise requires to be considered with reference to another and very important class of facts. Our meaning admits of being very concisely stated. For a long time past, we have, unconsciously, been burning the candle of the Constitution at both ends: *our electors have been usurping the functions of the House of Commons, while the House of Commons has been monopolising those of the Parliament.*

Originally the Supreme Parliament of the realm consisted of three co-ordinate powers, Kings, Lords, and Commons — of which the House of Representatives was by no means the predominating authority. The free and full consent of each of these powers was necessary to the decision of all legislative questions, while administrative matters lay unreservedly with the Crown. The Sovereign was paramount, the Nobles were uncoerceable — the Peerage was the real *Upper House;* the House of Commons had a vote and a veto, but no more. *Now,* that House has, for a long course of years, been gradually drawing to itself the whole power of the State: disguise it under constitutional fictions as we may for the sake of decency or self-deception, it has become not only preponderating but virtually supreme, in legislative matters, and it exercises a direct, undeniable, and most powerful influence even in affairs of administration.

Originally, too, the function, theoretical and actual, of the electors was that of choosing men qualified, by knowledge of their interests and participation in their point of view (identity of *stand-punct*, as the Germans would express it), to *represent* them in the great council of the *tiers-état*, and qualified, by capacity, experience, and character, to take part in the government of the realm. Their choice actually fell, as it was intended by the Constitution that it should fall, upon the most extensive landed proprietors, the most successful and liberal merchants, the most renowned lawyers, the sturdiest patriots, the most experienced politicians.—*Now*, electors, generally and increasingly, are guided in the selection of the men they send, by the known or professed *opinions* of the candidates; they avowedly, and on system choose, not the ablest nor the most high-minded, but those whose views on that particular question or set of questions

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which at the moment happens to be uppermost in the public thought, most nearly harmonise with their own; and an elector who votes for an honest and able opponent in preference to a shallow and scampish partisan, is vulgarly held to have deserted his colours and tarnished his character. The constituencies no longer give their attention to the selection of a member qualified to consider and decide any questions that may be brought before the House in which he is to sit: they themselves consider and decide these questions, and then look out for a man to support and *faire valoir* their decisions in Parliament.

Thus, not only has the balance of our triune Constitution been materially disturbed, but the original *rationale* of representation bids fair to be entirely lost. In place of selecting men, constituencies pronounce upon measures; in place of choosing representatives to discuss questions and decide on proposals *in one of three co-ordinate and coequal bodies*, the aggregate of which decree what shall be enacted or done — electors consider and decree what shall be done themselves. It is a reaction towards the old Athenian plan of direct government by the people, practised before the principle of representation was discovered.

Now, it is clear at a glance that both these changes point in the same direction, and suggest a similar quarter in which to look for counteraction. To examine, comprehend, and form a sound judgment on a political measure or a legislative proposal, obviously requires a more thoughtful, intelligent, and instructed class — in a word, a more highly-qualified class — of electors, than would be needed to decide upon the relative fitness of two given and known men to be representatives. Hundreds would be able to pronounce with tolerable shrewdness whether Mr. A. or Mr. B. was the cleverest or the worthiest man, whose opinion as to the augmentation of our standing army, or the retention of our Colonial Empire, or the re-adjustment of our system of taxation, would not be worth a straw. The more our electoral functions resolve themselves into deciding on measures instead of selecting men, the higher are the qualifications needed for the exercise of the electoral franchise. *Yet the cry is for a lowering of the qualification.*

Again, if the House of Commons held only the same position and wielded only the same limited and co-ordinate power as in old times, we might admit into it a larger infusion of the democratic element not only without alarm, but possibly with welcome. But since it has become predominant, if not omnipotent — its decisions subject to no appeal, its decrees liable to no reversal, at most only to a cautious and short postponement — it is obvious that higher wisdom, greater sobriety, purer virtue,

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and wider vision, than before, are imperatively requisite in those who are to frame it. In precise proportion as the powers of the State become more and more concentrated into the hands of one supreme and uncontrollable assembly, in that proportion does it become a matter of vital concern to the greatness and the safety of the State that the choice of that assembly should be in the hands of the most competent, the most independent, and the soundest portion of the people. Yet it is just when this great and continuous revolution has been consummated that we are asked to throw the choice of this condensed and inappellable authority into the hands of a more uneducated, dependent, deceivable and exciteable class than have ever yet possessed it.

Of these three processes — the aggregation of the supreme power in the House of Commons, the usurpation of the deliberative and pronouncing functions of that assembly by the constituencies who elect it, and the lowering of the social and intellectual qualifications required from electors — any one singly might go forward without peril and possibly with great advantage: the combination of all three — the concentration, that is, of the supreme authority in the hands of the lower classes of the population, wholly or in preponderating measure — presents a perspective of danger from which simple reflection and the experience of other countries should teach us to recoil in time. It is to emulate the mistake, and to invite the fate of France.

Having so far cleared our way, by an ascertainment of the quarter in which the improvement of our representative system should *not* be sought, we are in a position to approach the practical problem of Parliamentary Reform, and to suggest the character and direction at least, if not the specific details, of measures for the extension, purification, and amended distribution of the franchise, — measures which, while attended by no danger and assimilating readily with what exists, shall be felt by nearly every one to be wide, substantial, and salutary improvements in the constitution of the House of Commons — founded in justice and consonant to the most far-sighted policy.

The problem to be solved is, *first*, to *widen the basis* of our representation by admitting to the franchise all who ought to be admitted — all, that is, who are qualified to exercise it for their country's good; — *secondly*, to *purify* it, by excluding all who, from incompetency of whatever kind, ought to be excluded; — and *thirdly*, so to *distribute* it as to render it as fair and complete an organ as practicable of the various interests and elements which compose the nation.

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I. The first and most obvious arrangement which suggests itself, is to confer the suffrage on *all* whom the existing Constitution pronounces entitled to it, and competent to exercise it. In other countries enjoying a representative government, every man who possesses the qualification is, *ipso facto*, placed in a position to exercise it. In Belgium, for example, every man who pays a certain amount of direct taxes has a vote; and he gives that vote wherever he happens to reside at the time. Now, we have decided that occupation of a 10*l.* house shall be held a good and sufficient qualification for the franchise. Yet how inadequate a proportion of the 10*l.* householders throughout the country really possess the franchise. They are all deemed competent to hold it; but unless they chance to live in one of the 185 Parliamentary Boroughs, they have no opportunity of exercising it. Those who live in the 268 unrepresented towns with more than 2000 inhabitants, or in the many more towns and villages below this limit, are virtually disfranchised. They have not the privilege which, nevertheless, the law declares that they ought to have.

There are two modes of rectifying this anomaly. The one commonly suggested, and the favourite one with the radical school, — that of dividing the country into electoral districts of equal population, — was so fully discussed in a recent Number of this Journal, that we need not re-state the objections to it here. The other plan is to extend the 10*l.* qualification to counties, by which means *every* householder (to the requisite value) throughout the land would possess a vote; if he resided in a city or borough he would be upon the urban list, — if he resided in a small town, or a village, or an isolated dwelling, he would be upon the county register. The only objection we can hear of to this plan is, that in the country districts and in hamlets a 10*l.* occupancy generally includes some land, and would not therefore indicate the same social station as the living in a 10*l.* house in town, and that it might lead to the creation, for the sake of augmenting landlord influence, of a numerous and dependent class of tenant voters. But, in the first place, the occupier of a 10*l.* house in villages and small towns, belongs to a decidedly higher social grade than the occupier of a 10*l.* house in cities; and, in the second place, it would not be difficult to meet the objection, by requiring that the qualifying occupancy shall be, in the county register, a house, and not a house and land, or by fixing a sum which shall, as nearly as can be ascertained, be generally an equivalent to the 10*l.* occupancy contemplated by the present law. This, Lord John Russell's 20*l.* county franchise was, we imagine, intended to effect.

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There is a third way, not, indeed, of reaching, but of approximating to the desired result, which, also, was contemplated in Lord John's measure, viz. by combining a number of the unrepresented towns in the returns of a member. This measure we shall have to recur to presently; for the moment we will only observe, that it would very imperfectly attain the end we are now considering, since numberless villages and hamlets would see their inhabitants still excluded from the franchise.

A second mode of extending the basis of the representation, in a manner strictly conformable to the principles of our existing arrangements has been suggested, and is, we think, open to no objection. It is, of course, desirable, and is admitted to be so by every party, that *all* educated men shall be voters; the difficulty is to name any ostensible qualifications which shall include them, and them alone. But though we cannot frame a criterion which shall include all, there is no reason why we should not accept one which will include a considerable number of whose fitness to possess the franchise there can be no question. We should propose, therefore, that the suffrage be granted to all *graduates of universities*, to all *members of the three learned professions*, to the *officers of the army and navy*, and to *masters of schools under Government inspection*. This provision would give a most desirable addition to the constituency out of a class of men now very generally excluded as living in lodgings.

A third proposal, suggested, we believe, chiefly with the view of including middle class lodgers, namely, that of conferring the franchise on all who pay a specified sum in direct taxes, is, we are disposed to think, one of questionable advisability. In those countries, as in Belgium, where this forms the sole or the main qualification, the chief part of the revenue is levied in the shape of direct taxation. Every man above actual want pays direct taxes, and all persons of a certain class pay above a certain sum. It therefore forms about as fair a criterion of social position as can well be devised. But in England the case is different. Direct taxation yields only a small portion of our revenue, and reaches only a small class. Before the imposition of the income tax — which, in its present form, at least, we cannot bring ourselves to regard as permanent, — this portion was very insignificant, and was, in nearly all cases, (with the rare exception of persons living in lodgings, and yet keeping horses, or using armorial bearings,) paid by parties already on the electoral register in virtue of other qualifications. To adopt the proposed plan of enfranchisement in England would therefore be not, as in other countries, to give votes to those who

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paid a certain sum towards the national revenue, but only to those who contributed that sum in a certain peculiar form. It would enfranchise not the amount, but the mode of taxation. Nor would it—if our subsequent suggestions be carried out—be needed in order to enfranchise any.

A more vital objection is, that it would make a man's possession of the suffrage dependent upon the financial arrangements of the Session or the Parliament. A whole class might be disfranchised in a single night by a vote of the House of Commons, which had not the most remote intentional reference to the question of electoral qualification. Already one direct tax has been swept away—the window duty. The income tax may go any Session. If, as fiscal science becomes more studied and better comprehended, it should appear that any extension of direct taxation beyond its amount in 1841 is undesirable, and it should be limited accordingly, numbers whose vote depended on the payment of income tax would lose their constitutional privilege by a side-blow not aimed at them. And if, as is possible enough, the house tax—variable in amount—and the duties of horses and carriages, be the only direct taxes ultimately retained, a taxation-franchise would reach only those who would be on the register already in virtue of their dwellings. And it seems scarcely wise to make a man's electoral qualification depend upon a fluctuating and annually questioned or modified criterion.

But the knottiest and most important part of the problem still remains to be approached,—how to give to the working-classes their fair and desirable share in the choice of Members of Parliament, and at the same time no more than this share;—how to admit such an infusion of the democratic element into our representation as shall be just, beneficial, and unattended with danger, but at the same time real and not illusory. Some, starting from the premises that *representation of classes* is the idea that lies at the foundation of our system,—that the peers, the clergy, the gentry, the yeomen, the burghers, and the men of learning are all specially represented (theoretically at least),—and that the labouring classes alone have no representatives, because at the time when the Constitution was consolidated into its present form they were serfs and villains, not freemen, and therefore not recognised as an integral order in the State,—have suggested that the omission should now be supplied by assigning to the labouring classes a certain number of *special* representatives, to be chosen by them exclusively; and that the vacancy created by the disfranchisement of those boroughs which might be found too corrupt, or too insignificant, to retain the privilege of return-

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ing members, should be thus filled up. The proposal is not devoid of a certain *primâ facie* appearance of fairness and workability. But it is open to one objection, which lies upon the surface, and is in our judgment a fatal one. Members thus specifically returned by the labouring classes would often be working men themselves, and, whether they were so or not, would naturally regard themselves as entrusted with, and appointed to guard over, the interests of these classes, alone, or by preference. On general questions it is possible enough that they might be divided in opinion among themselves, and some take part with one section of politicians, some with another. But on all subjects and measures directly bearing, or supposed to bear, upon the welfare and condition of the poor; on the amount and distribution of taxation; on the remuneration of the higher offices of State; on the reduction or increase of the army, and generally on all matters connected with economical expenditure; on matters of imperial policy, so far as they directly involved questions of expense; and on proposals closely touching industrial and social considerations; it is probable, nay, nearly certain, that these special Representatives would vote together, and form a compact and influential party in the Legislature. And as on most of these questions they would almost inevitably take the most superficial and short-sighted view,—as they would have a strong tendency to oppose present outlay for a future and distant, though certain advantage, and so to adjust taxation as to make it fall as far as possible away from their constituents,—cases would not unfrequently arise in which all the members for the working classes would be arrayed on one side, and nearly the whole residue of the House of Commons on the other,—an unseemly and perilous antagonism, the full weight and significance of which the minority defeated in Parliament would not be slow to blazon to the world. Even now the member for the West Riding is not slow to remind the member for Tavistock:—'I represent 30,000 electors, you are the nominee of only '300.' But how much worse would the case be where 50 men could say to 500, 'You, the representatives of thousands, are 'opposed to us who are the representatives of millions;—you, 'the delegates of the privileged classes, can overpower us who 'are the chosen of the people of England;—you, the nominees 'of certain small sections of the community, herd together in 'defence of your constitutional ideas and your selfish interests: 'we, who speak unanimously the sentiments of the vast majority 'of that community, of the aggregate of the nation itself, stand 'forth to protest against the monstrous inequality.' Such an arrangement, followed as it would be by such language on every

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occasion which provoked it, would loudly proclaim, and most perniciously aggravate, that disseverance and hostility of classes, that separation of society *into horizontal layers* (as a recent writer has well expressed it*), which, of all the features and tendencies of the condition of England, is, perhaps, the most uncomfortable and menacing.

Others have suggested a scheme for admitting the labouring classes to the franchise, and conferring upon them a due share of political power, which at first sight appears much more plausible and safe. It has, they say, long been felt, and has over and over again been shown, that the only way in which universal suffrage, or any near approach to it, can ever be admissible, would be through an adoption of the filtering process of *double election*. The various advantages of such a plan are obvious. It is based upon the indubitable truth, that hundreds of thousands who are wholly incompetent to decide upon the merits of a political measure, or the qualifications of a member of Parliament (whom they know only through his speeches and addresses), are yet perfectly competent to fix upon some one of their neighbours or friends fitted to exercise the decision for them. Hundreds of thousands who would choose very bad *representatives* might choose very good *electors*. It is true there are no English precedents for the plan, but it has more than once been put into practice in France; it was the soul of the celebrated constitution proposed by the Abbé Sièyes in 1799, and partially adopted by Napoleon; it is the mode in which the President is elected in the United States, and in which the Storthing or House of Deputies is chosen in Norway. If desirable, the mere absence of precedent should not stand in the way of its adoption here. There are now in round numbers, and allowing for duplicates, about a million of electors on the register. To this number it is proposed to add 100,000 *electors to be nominated by the working classes*, and, on mere proof of such nomination before the Revising Barristers, to be placed upon the registers of their respective districts. The voters for these electors, to include all (paupers, convicts, minors, or women excepted), who are not upon the general register. By this plan, it is argued, you would at once place one tenth of the representation in the hands of the now unenfranchised operatives exclusively, which could not be despised as a mere trivial and worthless concession; the system of double election would be tested both as to its practical feasibility and its results; and the

* See a Paper in the 'Westminster Review,' for July, on the Tendencies of England.

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country would have an opportunity of seeing what sort of selection was made by the labouring classes, and of thus gaining some valuable hints for future guidance; since much canvassing, bribing, or intimidation would scarcely be worth while merely in order to *obtain a place upon* the register, attainable by the frugal and intelligent in so many easier ways. So that the electors chosen might fairly be assumed to be the *bonâ fide* unbiassed choice of the masses—the men they most trusted, appreciated, and admired.

Nor, it is contended by the advocates of this plan, need any danger be apprehended from the class of men likely to be chosen. It is probable enough that the demagogues of the populace, and the most forward, noisy, and active of the artisans, would be among the first of those selected for the trust; but these could only form a comparatively small proportion of the 100,000, and they would find their elected colleagues less willing to submit to their dictation, and more quick to detect their egotism, than the great body of the working men. If the majority of them turned out, as we believe they would, to be the more intelligent, sober, and respectable of the labouring poor, a great point would have been gained; the most numerous body of the community would be fairly associated with the upper ranks in the work of legislation, and the ground would be laid for a better mutual understanding; and an act of justice would have met with its appropriate reward. If, on the other hand, as some predict, these 'select men' should turn out worthless and corrupt, and disgrace themselves either by cupidity or folly, their influence with the lower, and therefore their formidableness to the higher classes, would be irretrievably lost. It is only in Ireland that demagogues can retain their hold on popular obedience and regard in spite of repeated falsehood and proved delinquency.

We concede the soundness and weight of nearly the whole of the above considerations. Yet there is an objection to the plan which is a most formidable, though we are loth to pronounce it a fatal one. The immediate operation of the arrangement would be to bring the representation *within one step of universal suffrage*, and that step an easy and an obvious one. It concedes the franchise to those very masses from whom it is your fixed purpose to withhold it,—but calls them to exercise it under restrictions which place them at a serious disadvantage as compared with other possessors of the privilege. It forges a weapon and prepares a mechanism which, by the simplest modification, may, at any crisis of popular excitement, be turned against its framers, and used in direct contravention of its original intention. The whole body of the labouring classes will have been autho-

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rised and accustomed to vote; and from voting for one set of representatives to voting for another,—from voting for electors to voting for members, the transition would naturally suggest itself, and might be instantaneously made. You would have enacted a wise and salutary law, which the omission of a single clause would convert into its opposite.

The third plan for enfranchising the better portion of the working classes in towns, which first occurs to every mind —viz. a simple lowering of the present rental or assessment qualification—loses all its apparent advantages when closely examined, as we explained on a previous occasion. In the manufacturing districts seven-eighths of the operatives live in houses paying from 2*s.* 3*d.* to 3*s.* weekly rent, or from 6*l.* to 7*l.* a-year. If you lower your qualification so as to include these, you enfranchise the mass; if you go so high as to exclude these, you reach scarcely any of the working men properly so called; and by no means always those you wish to reach. Again, the same limit which would enfranchise *many* in Manchester, Leeds, or Birmingham, would enfranchise *all* probably in Marylebone and the Tower Hamlets, and *none* in Taunton, Leominster, or Hereford. It would make enfranchisement depend, not upon belonging to a certain station, but on the accident of residing in a certain place, which is one of the great practical defects of the present system. We must therefore look out for some other plan, which we think is not far to seek, nor difficult of application.

No one doubts the fitness of many operatives and even peasants for the exercise of the suffrage, as far as honesty, intelligence, and good dispositions are qualifications. Few, who know them well, will be disposed to deny that *a selection* from among them would give us a purer and more independent constituency than the lower class of ten pound householders and small county freeholders,—a constituency at least as shrewd and far more sturdy in their views, far more individual in their modes of thought, and more open also to unselfish considerations and generous sentiments. To this we can bear strong testimony; and we bear it not only willingly, but earnestly. The difficulty is to *get at* these 'select men'—to enfranchise the *élite*, without enfranchising the mass.

Now those among the working classes who have accumulated property, have in doing so given proof of qualities which will, in the great majority of cases, (and with such only can we deal in legislative measures) make them fit and safe depositaries of the franchise. We need not enlarge upon this. The principle is already admitted in our present system, and indeed lies at its

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foundation; but it is partially applied and imperfectly carried out. If an operative lays by 50*l.*, and invests it in the purchase of a 40*s.* freehold, the Constitution pronounces him fit and qualified to vote. If, again, he expends the 50*l.* in moving from an 8*l.* to a 10*l.* borough residence, the Constitution pronounces him fit and qualified to vote. But if he expends his 50*l.* in the wiser mode of purchasing an annuity for his old age, or a life policy for his widow or his children, or in the more lucrative investment of guaranteed railway shares or debentures, the Constitution excludes him as disqualified. That is, *our present franchise law judges of a frugal operative's fitness for the suffrage, not by the circumstance of his having saved, but by the mode in which he invests his savings,*—manifestly an indefensible criterion. Nay, it does more; it is scarcely too much to say that it makes his qualification depend on his having selected a comparatively unwise channel of investment. This clearly calls for rectification. We propose, therefore, that every man who can prove to the satisfaction of the Revising Barrister that he has, and has had for twelve months, the sum of at least 50*l.* of his own invested either in Government Securities, or in the Savings' Bank, or in the purchase of an annuity, present or deferred, or in the purchase of a reversionary policy for his family, — shall be entitled to be put upon the register for that year. We do not anticipate any objection to this provision, nor any material difficulty in working it out, nor any loophole for fraud which does not exist in most other cases, and which a revising barrister may not detect and baffle. It may be urged that it is partial and unjust to confine the franchise-giving quality to these four modes of investment; especially as these are not the most generally in favour with the operatives, who commonly prefer placing their money in clubs of their own. This is perfectly true; but the answer is, that these four are probably the only modes of investment of which the State has any cognisance, the only quite safe and certain ones, and the only ones in the proof of which it would be easy to discover and prevent fraud and collusion. If others can be pointed out equally enjoying those advantages, by all means let them be added to the list.

Now this provision would, in the first place, at once enfranchise large numbers of the worthiest operatives; it would point out the mode by which any who desired the franchise might attain it; it would stimulate to patient economy and to cautious investment; and it would connect indissolubly in the popular mind the possession of the franchise with the possession of some at least of the qualities which give an earnest of fitness for its exercise. It would stand upon the Statute-book as a pro-

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vision to which we might quietly point the attention of any who complained of their exclusion from a share in the representation, — 'Prove your competency, and there is a self-acting proviso 'for admitting you.'

But there is still another class of operatives whose superiority and consequent fitness for the franchise is still more incontestibly proved, and whom the last-named qualification would not always reach, — *those*, namely, *who are placed in authority over others.* Such are overlookers in factories and mines; foremen and heads of departments in iron foundries and machine-making establishments, head-gardeners who have labourers under them, and others in similar positions. All who are thus appointed to situations of command, have been selected in virtue of superior capacity, steadiness, integrity, or education; and must, in order to have attained such situations, have given proof of mental or moral qualifications above those of the mass of their fellow-workmen. They are precisely the class whom we desire to distinguish from the rest; who, as leaders, are likely to influence others; and whose opinions on public questions and public men it would be really valuable to know. We can conceive no objection to conferring the franchise on this class, except the practical difficulty of defining its members, and deciding on their individual claims. But these are matters for the management of the revising barrister: the same searching investigation which determines the validity of other claims, would amply suffice to settle any disputes or embarrassments as to these new ones.*

By these two provisions we should place upon the register precisely that portion of the working classes whose views it is desirable to know, and whose claim to a participation in the electoral task it is impossible to gainsay; we should secure to the side of constitutional liberty the *real chiefs* and heads of the labouring masses, — not their nominal, self-appointed, agitating *leaders:* and we shall manifest a *bonâ fide* desire and intention

* It is important to observe that in the absence of specifically-sought information, we are greatly in the dark as to the operation of most new legislative enactments. It is impossible to do more than form a plausible conjecture as to the numbers and sort of men whom these two provisions would admit, or as to the working of any other suggested clauses. Perhaps, before legislating at all upon the subject, it would be advisable to issue a commission of inquiry, to investigate the probable bearing and *modus operandi* of different franchises, both actual and proposed. A mass of reliable knowledge might thus be obtained which would do much towards guiding and enlightening our future action.

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of admitting to the franchise all whose claims to it on the score of fitness we are able to ascertain. It is true that, though we should thus disarm many of the arguments of Radicals and Chartists, and separate from them many of their Parliamentary supporters, and place Conservative Reformers in a broad, strong, and defensible position, — yet, we should scarcely have silenced, nor perhaps altogether met the demands of the *masses* for admission to political power, — if indeed any such native, indigenous, genuine demand ever took its rise among them. They might still say, and with some show of reason, — 'You 'have selected for the exercise of the franchise — for participation 'in your privileges — precisely those members of our body who 'are most like you and least like us; who are most peculiarly 'under the influence of the higher classes; and whose sympathies 'and connection with our body are shown to be impaired, or in 'the way to be impaired, by their endeavours to rise out of our 'body. We ask for representation for the masses, — and you 'offer representation to those who already differ from the masses 'in some essential points. We ask the franchise for the '*employed*, — and you assign it those who are stepping into the 'ranks and are infected with the sentiments of the *employers*.'

Our reply to this, if it is to be satisfactory, must be not evasive, but direct. That reply is briefly, an appeal to the fundamental idea lying at the basis of our Constitution, and at the very core of the national character, which is not that of democratic equality, but of distinct and privileged but *open* orders. We ground our polity upon, and owe our safety to, two great principles, — *retaining the powers of the State in the hands of the less numerous, but more select, more cultivated, and more competent classes*, and, *making ingress into these classes accessible to all.* The union of these two principles is safety: their disjunction would be injustice and ruin. The old *régime* in France fell by denying the second: the new *régime* has never been able to maintain itself, from having negatived the first. Let it be our fixed resolution to avoid with equal care either error.

II. The purification of our representative action is practically a more difficult achievement than enlarging its basis. Every body avows and feels that the franchise is now possessed by many who on every ground ought to be debarred from such a function; some because they are dependent, some because they are corrupt, some because they are incompetent through ignorance, some because they are wholly indifferent to all political considerations, and are therefore guided solely by personal ones. But it is no easy matter to take away a privilege from any one

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to whom it has once been granted, except on actual proof of delinquency, and such proof it is not easy to obtain. On the part of many liberals there is a most unphilosophic desire to extend the franchise as widely as possible, with a regard solely to numbers and not at all to quality. It was this feeling which led to the interpolation of the Chandos clause, and the retention of the old freemen, in the first Reform Bill. On the part of many of a different way of thinking there is a strong disposition to keep upon the register all the most unfit classes, viz. the indifferent, the corruptible, and the intimidable; precisely on account of their unfitness. Those who dread democratic influence and popular delusion see an element of safety in the existence of a class of voters whom wealth can always buy, and whom power can always bully; and they are not the less obstinate in their resistance to all attempts to purge away this body, that they can neither avow the grounds of their proceeding, nor discern the fallacious nature of the security they would retain. And on the part of the possessors of the franchise themselves, it is natural that those who regard their votes as a saleable property, not as a solemn trust, should cling to them with all the tenacity of avarice; and they are sure to tie down their representatives to the maintenance of their lucrative and abused privilege. But as the arguments of the two last of these parties cannot be ostensibly brought forward; and as the ground taken by the first is cut away by the considerable and *bonâ fide* extension of the suffrage which would form the basis of the reform we are contemplating, we may hope that a proposal to purify the constituencies by removing the anomaly of the old freemen might meet with more success than it hitherto has done. Those among them who are really desirable possessors of the franchise will be entitled to it through other qualifications.

Again, we need most especially some simple, effectual, inexpensive, continuously-acting, and as far as may be, self-acting machinery for disfranchising any voters and any boroughs which can be proved to be corrupt. Had this been provided at the time of the Reform Bill, as an indispensable condition of its successful and beneficent operation, and been steadily and conscientiously worked and watched over by the Legislature since; and *had the conventional morality of Parliament on the subject of disfranchising-Bills been altered and corrected as it was on the subject of Election Committees*, it is hard to say to what a pitch of comparative dignity and purity our constituencies might not by this time have arrived. It is not now too late to rectify this, though unquestionably many valuable years have been lost, and many boroughs have fallen from their pristine innocence. Two

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things are required in order to attain the object. It must be enacted that any borough which is proved before the appointed tribunal to be as a whole, or in the large majority corrupt, or to be so completely under the influence of one or more proprietors, that no doubt can exist as to the non-independence of the great body of the electors, shall *ipso facto*, and systematically, be disfranchised; and if the appointed tribunal be a Parliamentary one, it must be *understood*, as it is now in the case of election committees, that members must act judicially, that is, must obey their consciences and respect their oaths. If this were arranged, no great difficulty would be found and no great expense need be incurred in ascertaining the real rights of each case; evidence to *satisfy* would be easily attainable; and those who are cognisant of Parliamentary feeling know well that the only reason why gentlemen there sometimes act with the strange moral lubricity which so astonishes us laymen outside is, that it is understood that they may do so. Before 1835, no member hesitated to disregard his oath and vote black white, if he chanced to be balloted on an election committee, any more than an Irish juryman or an Oxford 'Head' hesitates on similar moral *tours-de-force:* since that date, a senator would lose both his reputation and his self-respect were he to act according to the past rather than the present code of honour. The perjury which was sanctioned by a common understanding then, is repudiated by the same common understanding now.

The next point is to disfranchise the individual voter who has betrayed his trust. At present the severity of the penalty against the convicted recipient of a bribe makes convictions almost unattainable. Except in moments of the utmost exasperation, men scruple to enforce a fine of 500*l.* (which in most cases would be absolute ruin or indefinite imprisonment) for an offence which public morality has not yet learned to regard as a very heinous one. In this, as in so many other cases, the enormity of the infliction denounced secures the impunity of the offender. We see no objection to retaining this punishment against the *briber;* but as against the *bribee*, we would substitute simple disfranchisement for the future, on sufficient proof being adduced in the Registration Courts to satisfy the revising barrister. You would thus purify the register, improve the constituency, disarm the ill-doer, and visit the offence with an appropriate and proportionate, instead of a vindictive and excessive penalty. We are aware of the difficulty which always attends the production of satisfactory evidence of bribery: we are aware too, that intimidation is often the worse, the most extensive, and the most demoralising evil of the two, and that proof

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of this in individual cases clear enough to justify disfranchisement would be almost unattainable; but the measure we suggest would *go some way* towards the purifying purpose we have in view; and we must not reject any means on the plea that they are not omnipotent or sufficing in their simple and unaided operation. We must be content to achieve our object by the cumulative and corroborating aid of a variety of agencies.

We know the reply that will be made to us by our Radical friends:—'Why beat about the bush for indirect modes of 'securing the free exercise of the suffrage, when one single and 'obvious mode lies in your path? Why eschew the Ballot?' We will not enter on this vexed question here. We could add nothing new to the arguments which have been adduced on either side; nor could we urge those arguments in clearer or stronger language than our predecessors. Without, therefore, attempting to answer the cogent claims which have been brought forward on behalf of secret voting,—without urging the unconquerable feelings of aversion to it which are the arguments of minds more instinctive than logical, but often far safer guides than that of the logician, from their delicate tact, and the unerring correctness of their moral appreciations,—we take our stand on the position in which all practical men—all except the most incurable *doctrinaires*—will agree; viz. that if the object can be attained with tolerable completeness by any other contrivances, a disagreeable dilemma and a hopeless controversy will have been avoided.

With this view we strongly urge the adoption of a mode of taking the votes at Parliamentary elections, for which we have the warrant of a recent and most successful precedent, which would greatly diminish bribery, which would perceptibly alleviate intimidation, and which would entirely put an end to the riot and outrage which so frequently disgrace the contests in our large electoral bodies; which would enormously lessen the expense of elections; while at the same time it would virtually and greatly increase the numbers, as well as elevate and improve the character of our popular constituencies. The plan is that now practised at the election of boards of guardians and other parochial contests in England, and, with some small modifications and improvements, in Scotland. It consists simply in taking the polling booth to every elector, instead of, as now, carrying each elector to the polling booth. A couple of days before the one appointed for the election, a voting paper with the names of all the Candidates, and simple directions as to the mode of filling up the paper, is left at the house of every rate-paper; and after the lapse of one clear day, the paper is called for by the ap-

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pointed parish-officer. In Scotland the collector is provided with a box with a slit in the lid, into which the paper is dropped, (by which any tampering with the return is avoided); and the commissioners require that every paper shall be returned, whether filled up or not, with the view of compelling the *attention* at least of the rate-payer to the appeal made to him, however he may choose to treat it. These arrangements would be just as applicable to Parliamentary as to parochial arrangements, with a very slight modification. We propose, therefore, that immediately after the nomination (the publicity of which will secure all the popular excitement constitutionally desirable), a paper containing the names of the Candidates (and accompanied with the addresses they have put forth) be left at the house of every elector by a sworn and appointed officer, who shall call again for the same the next day, or the day but one after, as may be determined on. He shall receive the papers into a sealed box or bag, and shall deliver them to the returning officer. On this plan each elector when he returns home at night finds the important document awaiting him; he considers the merits of the Candidates, he reads their addresses, perhaps he consults his wife and family, or his neighbours; and then he places his name opposite to that of the man or men of his choice, and folds up the paper ready for delivery to the collector.

Now, the manifold advantages of this plan have been clearly shown and fully set forth by the Poor Law Commissioners in their first and fifth Reports.* The effects which would flow from its adoption in Parliamentary elections are as follows: —

* 'By the voting paper on which the elector is to record his vote in his own handwriting being left during one or two clear days at his residence, he is enabled to give his vote in the most free and deliberate manner, undisturbed by the importunities of canvassers, or the tumult and clamour of the polling booth; by the voting paper being called for at the residence of the elector by a responsible officer, and by him being taken to the returning officer, the elector is saved from the necessity of losing his time and neglecting his business in attending the polling booth; it being deemed the best economy that one officer should attend as a collector at the residences of several hundred voters, rather than that several hundred voters should leave their homes and occupations to attend at the station of one officer — a poll clerk. By this mode the necessity of extraneous expense and excitement, in order to induce bodies of electors to incur inconvenience, insults, or annoyances of various sorts, are saved to both parties. Hitherto this mode of election, which differs from all others in use in this country, has given general satisfaction. Moreover, it has continued to be marked by the greater number of votes being given than have been obtained for the like objects under any other form of

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First. It would entirely avoid the riotous proceedings now so generally and disgracefully attendant on our popular contests. The election-day might be as quiet as a Sunday. Disorderly and ill-disposed people might, if they pleased, still get up a row on the nomination day, though it is not generally on these that disturbances occur; but as far as the polling goes, the great occasion for violence and tumult would be entirely taken away. No more rough scenes which quiet men shrink from; no more hootings and peltings which now terrify so many timid men from the poll; no more broken heads; no more interference of the military; no more Six-mile Bridge affairs: every man would be able to record his vote in peace, and we should no longer have to blush before foreigners for the disorder attendant on our freedom.

Secondly. The intimidation practised on voters by the dread of actual violence or most unpleasant scenes on their way to the polling booth — no inconsiderable part of the whole — would be entirely defeated and evaded. Intimidation by landlords, by employers and by customers would, it is true, be left much where it is now. But bribery would be enormously diminished. Bribery is now chiefly confined to *close* contests. When the majority is pretty decidedly against a candidate, it is not worth his while to bribe: when the majority is decidedly in his favour

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election. In the greater number of instances of contested elections the number of votes polled have been more than trebled, which we consider equivalent to the relieving of all the additional votes from the loss and inconvenience previously attendant on the exercise of the franchise. The expense in the larger parishes was greatly below that of the ordinary elections by poll. Nevertheless, we have found that the expense of the first election arrangements might be advantageously reduced, and several inconveniences sustained in the larger parishes obviated.

The expense, however, cannot be estimated fairly, except in reference to the savings effected by the new mode of taking the votes. In one parish, where the election was severely contested, there were 10,000 persons whose votes were taken. One with another, not less, perhaps, than half a day would be consumed by a voter in quitting his occupation to go to the polling booth, give his vote, and return, which was necessary before the passing of the Poor Law Amendment Act; one with another, the value of the time consumed by each voter would, perhaps, be under estimated at half-a-crown. The aggregate value of the time required from the voters would not therefore be less than 1,250*l.* In registering new claims, and in the formation of a new machinery, much expense was incurred; but the permanent expense of printing the voting papers, and other incidental charges for completing the election, would probably not exceed 100*l.*

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it would be superfluous. It is where the result is doubtful, and where a certain number of purchaseable votes will turn the scale, that corruption is resorted to. Now, in many cases, this is not ascertainable till far on in the day, when the course that matters are taking is known by the publication of the hourly lists. Accordingly, the great proportion of the bribery is actually perpetrated in the last two or three hours, when the number of votes which remain to be polled can be pretty accurately known. But by the proposed mode of taking the votes, all this would be avoided. No one would have the least idea how the election was going till the returning officer opened his papers and cast up his columns at the close of the poll. If, therefore, a candidate was disposed to bribe he must bribe a couple of days beforehand, when he would be very much in the dark as to whether he was not throwing away both his money and his conscience gratuitously or ineffectually.

Thirdly. The cost of elections would be enormously curtailed. Even the legitimate and inevitable expenses, those of the polling booths, poll clerks, and check clerks, would be considerably reduced. Instead of the staff now required, no one would be needed except the one returning officer and the representatives of the several candidates who might wish to be present as a check upon him, and the distributors and collectors of the voting papers. From six to twenty men, according to the size of the borough, might do the whole work. But the great expense of election is the carrying the electors up to the poll, and keeping open public-houses and committee-rooms for collecting them previously. They are generally taken up in carriages, and, according to the testimony of experienced electioneering agents, 80 out of every 100 voters are taken up at the expense of the Candidate for whom they vote. The time is past when 50,000*l.* or 60,000*l.* used to be spent at once at this pastime; but even now the evil is often most enormous. In one of the metropolitan boroughs the cost of the last election was about 12,000*l.*, though only 8000 voters were polled,—being an expense of thirty shillings a head. By the plan proposed nearly the whole of this wasteful outlay would be avoided.

But this is not all. We must add to the cost of elections the loss of time, and of the earnings of time, by all the industrious voters of whatever rank, whose day is broken in upon, and generally wholly lost, by going up to the poll. Considering their numbers, and the class to which they belong, we cannot estimate the average loss to the electors, from the interruption of their regular avocations, at less than five shillings for the day

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or half day wasted. Strike off from the 500,000 voters belonging to the contested places, the idle whose time is of no value; and to the million of money which a general election is calculated to cost the Candidates, you must add about 125,000*l.* sterling more which it costs to the Constituents.

Fourthly. You would add almost incalculably to the number of voters, *i. e.* of those who recorded their votes. We showed, on a former occasion, that there was great reason for believing that of those possessed of the suffrage not more than from 50 to 60 per cent. took the trouble to exercise it, at least in the larger constituencies; and we have since had sent to us a statement of the number who voted in the contests on the last election, which fully confirms our estimate. We believe it to be accurate, and we annex it in a note*, in order that any one

* A TABLE SHOWING THE NUMBER OF COUNTIES AND BOROUGHS IN ENGLAND, WALES, AND SCOTLAND, IN WHICH CONTESTED ELECTIONS HAVE TAKEN PLACE; THE NUMBER OF VOTERS ON THE REGISTER; AND IN ROUND NUMBERS THE NUMBER OF VOTERS POLLED:—

Names of Boroughs and Counties in which Contests occurred	No. of Voters on the Register, 1851—1852.	No. of Voters Polled in round Numbers, 1852.	Names of Boroughs and Counties in which Contests occurred.	No. of Voters on the Register, 1851—1852.	No. of Voters Polled in round Numbers, 1852.
ENGLISH BOROUGHS.			ENGLISH BOROUGHS.		
Andover	241	160	Cockermouth	354	300
Aylesbury	1,417	900	Colchester	1,258	1,100
Barnstable	771	700	Dartmouth	302	281
Bath	3,278	2,300	Derby	2,448	2,300
Bedford	910	600	Devonport	2,407	1,700
Berwick	781	600	Dorchester	432	400
Beverley	1,405	1,000	Dover	2,064	1,700
Bewdley	390	320	Dudley	912	681
Blackburn	1,258	1,200	Durham	1,157	1,000
Bodmin	367	320	Evesham	349	250
Bolton	1,671	1,400	Exeter	2,501	2,000
Boston	987	900	Finsbury	20,025	9,000
Bradford	1,083	2,400	Gateshead	711	500
Bridport	524	400	Gloucester	1,621	1,500
Bridgnorth	717	600	Grantham	774	700
Bridgewater	688	400	Greenwich	6,308	4,000
Brighton	3,675	3,000	Grimsby	861	633
Bristol	12,543	8,000	Guildford	648	610
Bury	959	882	Halifax	1,200	1,000
Bury St. Edmunds	741	700	Harwich	272	250
Cambridge	1,984	1,500	Hastings	1,090	900
Canterbury	1,874	1,200	Hereford	1,013	700
Carlisle	1,134	900	Hertford	685	500
Chatham	1,371	1,108	Honiton	287	280
Cheltenham	2,400	1,968	Huddersfield	1,364	1,215
Clitheroe	448	409	Hull	5,221	4,000
Cirencester	434	400	Hythe	856	610

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who has the opportunity may verify it in his own case or locality. From this it appears that the registered voters in all

Names of Boroughs and Counties in which Contests occurred,	No. of Voters on the Register, 1851—1852.	No. of Voters Polled in round Numbers, 1852.	Names of Boroughs and Counties in which Contests occurred.	No. of Voters on the Register, 1851—1852.	No. of Voters Polled in round Numbers, 1852.
ENGLISH BOROUGHS.			ENGLISH BOROUGHS.		
Ipswich	1,838	1,500	South Shields	925	489
Kidderminster	495	398	Stafford	1,246	1,100
Knaresborough	242	226	Stockport	1,341	1,200
Lambeth	16,181	8,000	Stoke-on-Trent	1,778	1,600
Lancaster	1,393	1,100	Stroud	1,328	900
Leeds	6,406	3,400	Sunderland	1,973	1,400
Leicester	3,853	2,700	Taunton	790	750
Leominster	551	400	Tavistock	349	300
Lichfield	836	550	Tewkesbury	370	300
Lincoln	1,363	1,300	Totness	371	350
Liverpool	17,433	11,000	Tower Hamlets	23,534	12,000
London	20,728	7,500	Truro	607	450
Lyme Regis	309	271	Tynemouth	833	674
Ludlow	450	400	Wakefield	850	684
Lymington	338	140	Wallingford	428	344
Lynn	1,176	900	Warwick	723	700
Macclesfield	1,058	1,000	Wells	325	250
Manchester	13,921	9,000	Westbury	314	283
Maidstone	1,751	1,400	Westminster	14,883	8,000
Maldon	845	700	Weymouth	679	600
Malmesbury	309	265	Whitby	454	424
Marlow	354	340	Wigan	718	650
Newcastle-on-Tyne	5,269	4,000	Wilton	219	151
Newcastle-on-Lyme	1,090	800	Winchester	788	600
Newark	867	800	Windsor	712	400
Newport	707	500	Worcester	2,290	1,700
Northampton	2,263	1,500	Wycombe	364	300
Norwich	5,390	3,500	Yarmouth	1,249	1,000
Nottingham	5,260	2,400	York	4,133	2,500
Oldham	1,890	1,600			
Penryn	906	700	Total	317,687	202,430
Peterborough	518	400			
Plymouth	2,482	1,800	SCOTCH BOROUGHS.		
Pontefract	684	550	Aberdeen	4,547	1,160
Preston	2,854	2,400	Ayr Boroughs	1,039	667
Reading	1,399	1,100	Edinburgh	6,230	3,500
Reigate	228	176	Falkirk	1,905	1,388
Ripon	353	270	Glasgow	15,502	5,000
Rochdale	1,160	904	Greenock	1,164	719
Rochester	1,269	1,000	Haddington Burghs	642	497
Rye	562	448	Kilmarnock	1,380	918
St. Ives	578	274	Leith	1,567	1,052
Salisbury	680	450	Paisley	1,342	780
Scarborough	805	700	Stirling District	1,097	409
Sheffield	5,322	3,500	Wick Burgh	699	435
Shrewsbury	1,666	1,500	Wigton District	400	279
Southampton	2,419	1,700			
Southwark	9,458	5,000	Total	37,514	16,804

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the contested places reached 507,192, while those who recorded their votes did not exceed 312,289, or about 60 per cent. of the whole. Now, were the plan of voting papers adopted, and were these papers, as in Scotland, returnable whether filled up or not, every one would vote except those who had some distinct and positive motive for abstaining. Those who now do not vote because it takes them away from their business, or because it would lose them a day's work or a chance customer, or because they are lazy, or because they do not like to encounter a hot crowd, or a noisy and possibly hostile mob, would then be left without any excuse for such unpatriotic abnegation of their functions. But we are not left to conjecture as to the effect which the change would produce on the numbers who exercise the franchise. In parochial contests the number has often *trebled* since the introduction of the new plan. In one union, of which the return is now before us, the numbers polled on the old system in 1847, on an occasion of great parish interest, when very considerable efforts were made on both

Names of Boroughs and Counties in which Contests occurred.	No. of Voters on the Register, 1851—1852.	No. of Voters Polled in round Numbers, 1852.	Names of Boroughs and Counties in which Contests occurred.	No. of Voters on the Register, 1851—1852.	No. of Voters Polled in round Numbers, 1852.
WELSH BOROUGHS.			ENGLISH COUNTIES.		
Brecknock -	336	281	Northumberland, N	3,111	2,500
Cardiff -	968	950	Northumberland, S.	5,369	4,000
Cardigan District	849	717	Oxfordshire -	5,198	3,000
Carnarvon -	861	645	Somerset, East	10,140	5,800
Denbigh District	853	650	Surrey, East	6,618	4,500
Haverfordwest	682	498	Surrey, West	3,897	2,500
Montgomery Distr.	1,003	735	Warwickshire, N.	5,237	4,500
			Wilts, South	3,256	2,500
Total -	5,551	4,476			
			Total -	141,756	86,180
ENGLISH COUNTIES.					
Berkshire -	5,129	3,000	SCOTCH COUNTY.		
Buckinghamshire	5,659	2,000	Ross-shire -	783	479
Cornwall, East	5,694	3,500			
Cumberland, East	5,351	3,700	WELSH COUNTY.		
Essex, North	5,715	2,800	Denbighshire	3,901	3,000
Essex, South	5,819	3,800			
Gloucester, West	8,635	5,000	Total Boroughs:—		
Herefordshire	6,972	5,000	England, Wales, and Scotland	360,752	223,710
Hertfordshire	5,268	3,500	Total Counties:—		
Kent, East -	7,119	4,800	England, Wales, and Scotland	146,440	88,579
Kent, West -	9,379	4,600			
Middlesex -	14,610	8,000			
Norfolk, West	8,216	4,200			
Northampton, S.	5,369	1,900	Grand Total	507,192	312,289

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sides, were 531 against 497, or a total of 1028. In 1852, under the new plan, the corresponding numbers were 742 against 596, or 1338.

But, *fifthly*, a still more important point would be gained. The new votes — those which are now lost, but would then be given — would belong to precisely the members of the constituency whose votes we most desire to get, — viz. the industrious, the quiet, the retiring and the moderate. A great proportion of the votes now seldom recorded are those of men of business, merchants, manufacturers, bankers and tradesmen, — who will not or cannot leave their work, but who would vote as they went home, if the polling booth lay in their way, and was kept open after business hours. In London, Liverpool, and Glasgow, the number of votes thus lost is immense. We heard of one case at the last election where 800 electors of this description, who had delayed till the eleventh hour, came too late, and were shut out. In London this is one constant cause of the small proportion of the registered electors which decides the contests. Now, it is very well to say that men who are thus languid and lukewarm in the discharge of their electoral functions do not deserve to possess them: this is true enough; but these are just the men whom it is desirable, for the good of the country, *should* possess them, and should exercise them too, — and therefore it is incumbent upon us, and a matter of common sense, to make the exercise of them as easy as possible. The idle, the exciteable, the passionate, the bribable, will vote fast enough: we must smooth the path to the poll for those whose counteracting influence the welfare of the State requires. And this brings us to the final and most pregnant observation, that the more we can secure the actual action of these men, *the less important and preponderating in an election do the lower class of voters, the bribable and the corruptible, become, and the more effective and fatal is the blow you have struck at both bribery and intimidation.*

Lastly. The plan would effect the very desirable aim of *equalising electoral action* in times of excitement and in times of indifference and stagnation. Under the existing system, in periods of quiet and prosperity, when mens' reason and good sense may be expected to be paramount because their passions are comparatively dormant, and when, therefore, the opinions of our people would be unusually valuable because unusually deliberate and sober, it is next to impossible to persuade any considerable number of them to be at the trouble of recording their votes. But on all more turbulent and angry occasions, when some popular cry has been sent forth, or some epidemic

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prejudice aroused, when men are blinded by panic or warped by delusion, or rendered furious by suffering — far larger numbers flock to the poll, and those who go there are, many of them, precisely the men who, as far as the object of a calm decision is concerned, it is specially important should stay away. By the new mode of voting, on the contrary, the exercise of the electoral function would be made so easy, that the minimum of motive and of conscience would suffice to secure it; and we might count on a nearly equal number of votes, *i. e.* an equally general expression of public sentiment — whatever were the peculiar circumstances under which the election took place.

We have then here a plan which is no new or rash experiment; which has been in operation for many years with signal benefit in a case with which the analogy is nearly perfect; which will increase the *number* of actual electors nearly as much as most Liberals can hope for; which will *raise the class and improve the character* of the voters almost as much as we could desire; which will give us the judgment of the constituencies in their cooler as well as in their wilder moods; which will greatly diminish both the motives to bribery and the relative numbers of the bribable; which will put an end to election riots and disturbances; which will materially mitigate one sort of intimidation, and wholly preclude another; and which will so reduce the expense of elections as to render Parliament no longer accessible exclusively to the wealthy and the wasteful. Nay more. It would not only, to a great extent, supersede the motives for having recourse to the ballot; but it is an arrangement on which secrecy might, if found necessary, and *where* found necessary, be easily engrafted. In any case where intimidation was known to be habitually practised to such an extent as to vitiate the genuineness of the election, an order emanating from the designated authority (say, the Speaker or the Privy Council) could swear the returning officer and his two assessors to secrecy, and the object is attained at once, *pro hac vice*, and *in hoc loco*.* The only parties from whom we

* Practical difficulties in working the plan may no doubt be suggested; but for all these experience would soon suggest remedies also. Domiciliary intimidation in the filling up of the papers might, by simply reducing the time between the delivery and the collection of them, be made to require such a staff of bullies as would render it practically impossible. Attested marks must be allowed at *first*, and might give rise to some abuse; but the number of those who could not write their names would yearly diminish; and ere long the refusal to accept marks in lieu of signatures might form a simple, self-acting, and justifiable educational condition. But the mode of meeting all

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anticipate any opposition to the plan proposed, are, *first*, the *routiniers*, to whom anything novel is startling and shocking,—but their hostility, time and reflection will wear away;—*secondly*, the corrupters and corruptible of every class—electioneering agents, freemen, publicans, and other sinners—those who sell votes and those who buy them, and those who profit indirectly by the nefarious accompaniments of an election; but the opposition of these men has this inherent impotence about it, that it cannot be arrayed in a decorous or presentable shape;—*thirdly*, those who are of opinion that elections *ought* to be costly by way of giving appropriate influence to wealth and rank; but this argument, again, cannot be paraded in the face of day; and, *lastly*, those radical politicians who believe (and probably with reason) that the additional votes obtained by the alteration will not be recorded in their favour. Whether the hostility of these classes can, or ought to weigh one atom in the scale when set against such an array of beneficial consequences as we have developed—which would make this single measure almost, if not altogether, a greater Reform Bill than the first,—it will be for the Nation, when appealed to, to decide.

III. The third point which would demand attention in a reform of our representative system would undoubtedly be the re-distribution of members, with a view to their better assignment among different interests and different divisions of the country. The great complaint among the more advanced of the liberal party, on this branch of the subject, respects the disproportionate representation of small towns, the retention, as parliamentary boroughs, of places entirely or predominantly under the influence of individual proprietors, and the non-observance of any fixed relation between population, or property, and representation. Now, on a careful review of the subject, we are bound to say that the current notions on these subjects appear to us to have been hastily taken up, and, while containing an undoubted element both of sound doctrine and of true fact, to contain much exaggeration also. Fortunately a recent return made to Parliament (No. 441.) enables us to lay before our readers a few considerations which may, perhaps, modify the opinions some of them have hitherto entertained.

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these minutiæ, and of perfecting the mechanical arrangements, is one of the points to which such a commission of inquiry as we have already suggested would naturally direct its attention. When the principle of the thing has once been cordially adopted, there will always be found men of practical experience to devise the requisite machinery.

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In the *first* place, it may be conceded at once that if population, *i. e.* mere numbers, ought, or was ever intended, to form the basis of representation, it is strangely set at nought in our existing arrangements. But let us see what would be the result of a distribution of members according to population, and then reflect if we are prepared to approve such a result as equitable, or desire it as beneficial. At present in England we have 186 cities and boroughs scattered over the country, returning 321 members. If population were our guide in the assignment of these members, *one half of these*, or 163, would be returned by *only* 20 *towns;* of which 20 towns 3 would be in Lancashire, 4 in Yorkshire, and 8 would be Metropolitan, *i. e.* either in Middlesex, or close to it (as Southwark and Greenwich). Or, 129 borough members, or 40 *per cent of the whole*, would be returned by 3 counties. Again: Sixty-nine county divisions now return 144 knights of the shire. If population be taken as our basis (throwing out the represented towns), 9 of these divisions would return 43 members, or nearly one-third of the whole. Of these 9, 3, viz. Middlesex, Lancashire, and Yorkshire (West Riding), would return 28 knights, or 20 per cent. of the whole number sent by all England: that is, of the total 465 members (Knights and Burgesses) returned by England, *three counties would elect* 157, *or more than one-third of the whole.* A result which surely is scarcely defensible in theory, nor could be endured in practice.

Secondly. At present we may be said to have three distinct sorts of constituencies,—*counties, small boroughs,* and *cities* or *large towns.* Each of these classes has a distinctive character of its own. Now, reckoning as *small boroughs* those under 10,000 inhabitants, we have,—

69 counties (or divisions) with a population* of	9,770,000;	returning	144 members.
114 large towns - -	6,660,000	„	206 „
72 small towns - -	480,000	„	115 „

From this comparison it would appear that the large towns have their full share of the representation; since, if we add the small boroughs to the counties, on the supposition of their returning a somewhat similar class of members and containing a somewhat similar constituency, the comparison would stand thus:—

	Population.	Members.
Counties and small boroughs - -	10,250,000	259
Large towns and cities - - -	6,660,000	206

* Exclusive of represented towns.

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whereas the proper arithmetical proportion for the cities would be 169 instead of 206.

Nor, *thirdly*, if we remark how large a proportion of our population reside in small towns, does the number of 115 members seem so undue an assignment to this class of the community, who are in some respects a characteristic class, differing alike from the purely rural, and the stirring and energetic city population. It is customary with the more extreme reformers to declaim thus: 'What a scandal that Honiton, with only 3500 'inhabitants, should return as many members as Liverpool, with '376,000; and Arundel, with 2750, as many as Salford, with '85,000.' But the apparent scandal is wonderfully mitigated, if not altogether removed, when we observe that *every* Liverpool and *every* Salford is represented, but only *three* out of 60 Honitons, and only *one* out of 90 Arundels. *Every* town with more than 25,000 inhabitants is represented, but the *eighty-six* towns between 2000 and 3000 inhabitants, with an aggregate population of 227,000, *have only one member among them*; of the *fifty-eight* towns, with from 3000 to 4000 inhabitants, and an aggregate population of 212,000, only *three* are represented; of the *forty-four* towns, with from 4000 to 5000 inhabitants, and an aggregate population of 199,000, only *nine* are represented; and so on. The member for Honiton and the member for Arundel—if regarded, as they ought to be, as representing all the unrepresented towns of that size and sort,—have a constituency as numerous as that of Birmingham and Southwark.

Fourthly. Nor, if we can once shake ourselves free from the foreign idea that mere numbers ought to be taken as the basis of our representative arrangements, does the distribution of members among the manufacturing and agricultural districts appear nearly as unfavourable to the former as we are in the habit of assuming it to be, and of condemning it for being. For instance, we find that the four preeminently agricultural counties of Bedford, Hereford, Lincoln, and Essex, return only 33 members, while the four preeminently manufacturing counties of Lancashire, Cheshire, Warwickshire, and the West Riding, have 64 members assigned to them as their share. Cases exist, no doubt, which must be promptly rectified, of indefensible inequality; such as Devonshire, which has 22 representatives, and Wiltshire, which has 18. But passing over these two instances, and comparing the electoral strength of the more industrial, concentrated, and energetic populations (among which the reforming demand is supposed to be most loudly heard), with that of the rural and quiet districts (which it is proposed still further to weaken), we find that *ten* of the

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largest counties of the former class return 143 members, and *ten* of the latter only 104. Thus:—

Lancashire	26	Hampshire	16
West Riding	18	Somerset	15
Sussex	18	Lincoln	13
Staffordshire	17	Dorset	14
Middlesex	14	Oxford	9
Northumberland	11	Northampton	8
Cheshire	10	Herefordshire	7
Durham	10	Hertford	7
Nottingham	9	Huntingdon	5
Warwickshire	10	Essex	10
	143		104

Although, therefore, we are fully alive to the necessity of dealing vigorously with the case of small boroughs, our opinion is not grounded on the alleged unfairness of allowing them their due share in the representation. If their constituencies were in general pure and independent, or any secure plan of making them so could be devised, we should regard them as an important and valuable element in our constitutional system. But the great majority of them are notoriously undeserving of the franchise, and those who know them best are least disposed to undertake their defence. The plan of combining a number of them into one constituency would be futile or beneficial according to the details of each individual case. If a close or a rotten borough were amalgamated with an open or a manufacturing town, much advantage might possibly result; if two or three corrupt or manageable constituencies merely united their iniquities, the evil of the existing state of things would only be spread further and rooted faster. We should propose, therefore, at once to reduce the 61 boroughs with fewer than 500 electors, and now returning 91 members, to *one* representative each. This would leave thirty seats to be disposed of.

In case of gross and general bribery, or clear dependence, being proved against any of these constituencies before the tribunal already hinted at, it should be disfranchised, and its elective right transferred to such other towns as Parliament might appoint. By this enactment a strong motive would be given to pure and decorous elections, while, at the same time, a standing provision will have been made for the purgation of the anomalies and impurities of our system, and for the gradual enfranchisement of rising cities. Thirty seats, however, would be at once at the disposal of the reforming Legislature. Two of these we propose to allot to the London University, one to

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Glasgow, and one to Edinburgh, as an act of just liberality and popular concession, but also as a means of opening an access to Parliament for that class of men who are by opinions or habits unsuited to popular constituencies, but who, nevertheless, would make most valuable senators, and from whom their former resource, close boroughs, has been cut away. The remaining twenty-six seats we would deal with in a somewhat novel manner.

There are individuals who under our present system either do not find seats in Parliament, or find them with much difficulty, or obtain them only at the cost of some injurious fetters, or some suppression or modification of their real views, some damage, therefore, both to the purity of their conscience and to their power of usefulness, — whom nevertheless it is most important for the interests of the empire to have in public life. Either their manners are unpopular, or they have given offence to some local prejudice, or they are too unbending to suit large and miscellaneous constituencies; or their views are too profound and comprehensive to be appreciated by such; or the subjects with which they are specially conversant, though of vital moment to the empire, are not of a nature to excite the interest of local bodies; yet in every constituency there are some electors who can appreciate their value. To take one illustration of our meaning: Sir James Graham is, by universal consent, about our ablest administrative Statesman,—the Statesman of all others whom sensible men of every party would most grieve to see excluded from Parliament; yet he has never been popular with any constituency, has always found a difficulty in obtaining a seat, and has never (it is said) sat twice for the same place. Further, if Parliament had been dissolved on the Papal Aggression question, though a minority in every constituency shared his notions, he would have been elected by a majority in none; and would either have lost his seat altogether, or have been obliged to stoop to the ignominy of an Irish Roman *clientèle*.

Again, the most valuable men, almost, whom we can have in public life, are the philosophic and eclectic politicians—a large sprinkling of them at least; men who can repeat the shibboleth and echo the watchword of no party; who are too conscientious and reflective to 'go the whole hog' with any; who belong to one side by three points of their creed, but to the opposite side by the fourth; who, it may be, are zealous free traders when the Negro question does not come in to complicate the discussion; or who are Conservatives *quoad* the State, but Reformers *quoad* the Church; or who hold with the Radicals on practical and administrative, but dissent from them as to organic changes; who, in a

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word, think for themselves, *and think in detail, and not in the lump.* Now, there are scarcely any constituencies with whom such men can find favour; they are condemned as crotchety, subtle, and inconsistent; they are in the position of the 'Ugly Duck' of Hans Andersen's tale, whom no one discovered to be an incipient swan; the Conservative electors eschew them as Reformers; the Liberal electors snub them as 'unsound' and not 'thorough;' being 'guilty in one point' they are sentenced as violators of 'the whole law;'—of whom the world—that is the constituencies of England—is not worthy.

Again, questions connected with our Indian and our Colonial Empire will ere long become the most pressing and important with which Parliament has to deal. Yet such is the state of feeling and knowledge, or rather the want of feeling and knowledge, prevalent on these topics in England, that mastery over them and sound views regarding them will be no effective recommendation to any local constituency; and the most complete *ignoramus* on these matters will be preferred to the ablest and justest thinker, if the first be 'right,' and the second 'wrong,' on a question of local, or passing, or party politics. We want, and shall want increasingly, representatives specially conversant with, and free to devote themselves exclusively to, *imperial interests,* hampered by no fears or pledges, and compelled to consult the narrow prejudices of no limited constituency.

Before the Reform Bill, close or nomination boroughs furnished men of this class with an avenue to Parliament; since that date a few of the smaller and more manageable constituencies have answered the same purpose. But as any further representative changes will close this channel likewise, it is important to devise some adequate and honourable substitute. The proposed increase of Members for learned bodies will do something, though not much, in this direction. Our suggestion is this: it would at once and fully meet the purpose aimed at; and, to the best of our belief, is open to no objection except its novelty. Let the twenty-six seats which remain to be disposed of be assigned to NATIONAL REPRESENTATIVES, to be chosen as follows:—Let any elector who pleases require the revising barrister to remove his name from the *local,* and place it on the *national* register, which shall be separately published. When an election takes place, let the candidates for the national representation issue their addresses, and let the national electors decide upon their merits. The voting in this case might take place by written papers, signed and sent to the central office;

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each elector voting either for one candidate, or for three, or for all, as might on further consideration seem advisable.

By this arrangement, you would at once create a higher class both of electors and of representatives. Those who placed themselves on the national register, would be for the most part men of more thoughtful habits, more extensive information, and wider views than the mass of the enfranchised body. Those too, who, from being at issue with the overpowering majority of their fellow-townsmen or fellow-freeholders, found their votes utterly ineffective and thrown away in their several localities, would thus be enabled to transfer them to an arena where they would have a *bonâ fide* value. At present a Conservative elector in a borough where five-sixths of the voters are Liberals, or the converse, finds himself virtually disfranchised: his voice is that of one crying in the wilderness. You would secure a certain number of pure elections, degraded by no canvass, biassed by no mean personal motives, purchased by no unworthy compliances, attended with no undignified or indecorous concomitants, realising, in fact, something like the ideal of representation, and furnishing a valuable nucleus of high example. And you would secure the presence in Parliament of a class of men free to consider nothing but the public good, because undisturbed by fear concerning their future re-election, and confident in the capacity of their constituents to appreciate both their motives and their conduct.*

Fully impressed with the growing extent and increasing population of our Colonies, and the importance of attaching them to the mother country by every tie of interest and affection; feeling too both the justice and the wisdom of treating them as far as possible like integral portions of our Empire; we have considered with some care the question of allowing them to send representatives to Parliament, but are not on the whole inclined to think favourably of the scheme. A member to each colony or group, or perhaps two to the more important ones, would be the largest allotment we could afford. These men would come to the House of Commons naturally impressed with an undue and disproportionate idea of the importance of their respective constituencies in the balance of imperial concerns, and would demand more than their fair share of attention and deference; if pertinacious would be voted bores; if comparatively yielding would feel a sense of ill-usage and neglect, which they would not fail

* We owe the suggestion here put forth, which we consider of the very greatest importance, to an able paper in the 'Spectator' newspaper, where, we believe, it first appeared about a year ago.

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to communicate to the colony they represented; and in any case, with whatever respect they were listened to, would find themselves lost, swamped, and overlaid amid the vast majority of British members, and the more urgent *presence* of British interests. Their votes would be few, and their influence, save on special questions, little felt. Their fitting and far more effectual place would be in the *executive, not in the legislative* department of the State. The whole system of our colonial administration imperatively clamours for revision; and a governing board in which representatives from our colonies shall find an influential and recognised position, will probably be the solution of the problem.

No new Reform Bill will, we trust, be introduced to the consideration of Parliament, without a clause conferring on the Sovereign the right of nominating to *ex-officio* seats (without votes) in the House of Commons those Ministers, being commoners, whom the public service requires should belong to that House. We have never heard any objection to this proposal of the slightest weight. No evil can be suggested as likely to arise from it; whereas the evil arising from the absence of such a provision is serious and constant. It not only limits the Queen's choice of her Ministers, but it almost habitually prevents her from choosing the best men. It enables, moreover, any cross-grained or corrupt constituency to negative Her Majesty's appointments. This is an evil which has grown out of the Reform Act; before that measure it did not sensibly exist, for Government and nomination boroughs afforded an irregular way out of the difficulty. We noticed the subject some years ago (April, 1835,) in reviewing a pamphlet by the late excellent Lord Northampton against the law by which seats are vacated on accepting office. Let us see the operation of the defect in a single set of cases—the appointment of the Crown lawyers. The Attorney- and Solicitor-generals ought unquestionably to be selected as being the ablest and soundest lawyers at the Bar, holding the opinions of the Ministry of the day. There should be no other consideration in their appointment. But as the law now stands, the Queen's choice is limited *first*, to those barristers who can securely count upon a seat in Parliament by election or re-election, as the case may be. She is often obliged to pass over the best man, or two or three of the best men, and select her legal agents from among the second or third-rate lawyers in her realm. This is very objectionable in itself; but the evil does not stop here. The Attorney- and Solicitor-generals have, by immemorial and admitted custom, the claim to the highest judicial offices which fall vacant during their tenure of office: thus the incompetent

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or undesirable barrister is raised to the highest judicial dignity, not in consequence of his qualification for the Bench, but simply because he happened some time before to have had a firm hold on some Parliamentary constituency. The Judge is appointed, not because he is the light and ornament of the bar,—the profoundest lawyer and the most impartial and dignified mind in his profession,—but because he was a successful candidate at the hustings. It would be indelicate to mention names; but very recent times and nearly every Ministry since 1832, could furnish instances of the practical pressure of the evil we are anxious to remove. Nor is the mischief confined to the legal profession. Many a man would make an admirable Under Secretary of State, whose fortune or circumstances do not enable him to enter on a regular Parliamentary career, or to encounter a popular constituency, and who is, therefore, to his own discomfiture and to his country's detriment, shut out from office. The most desirable man cannot be appointed Colonial Minister, because his seat, if vacated, might be irrecoverable. Administrations cannot strengthen themselves by the alliance of colleagues who possess the confidence of the general public because the place for which they sit has been offended by some unpopular vote or speech. We need add no more on this head: the peculiarity of the case is that we have no adverse arguments to meet. *Vis inertiæ*, and hatred of novelty, are our only antagonists.

After all, however, these various suggestions, whatever be their value, regard only the *material*, and as it were the corporeal, portion of Representative Reform. Something more and something deeper is needed if that reform is to be searching and effective. The wisest arrangements, the most obvious improvements, in the mere machinery of the system, will go little way towards the attainment of the end we seek, without some renovation and elevation of our moral notions in all that regards elections. Unless we can succeed in infusing into the minds of both electors and candidates a due sense of the dignity and solemnity of the function which is exercised by the first, and of the sacredness of the trust which is aspired to by the second, the wisest Reform Bill may be but a lifeless letter. We have just seen a great nation,—boasting itself, not without reason, the most advanced and enlightened upon earth, rich in material wealth, rich in boundless territory, rich in long-descended liberties, rich in all memories which should bind it to live worthily, to think nobly, to act decorously,—proceed to discharge the most solemn and momentous function of its national existence. It had to select, out of all the thousands of capable

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men whom it contains, those who were to govern it and legislate for it for the next six or seven years; to whose care were to be entrusted its mighty and varied interests: to whose integrity and wisdom were to be committed the concerns, moral and material (as far as government and legislation can affect them), of many millions of citizens, and many scores of millions of dependent tribes; on whose honour and judgment were to depend the character, the comfort, the existence even, of themselves and their children — the progress of many great questions which they have much at heart — the possibilities of a grand future, the continuance of an honourable past! Surely, this was a function to be approached with the utmost gravity, to be discharged with the greatest decorum, to be fulfilled under an absorbing sense of the wide responsibility attaching to it. To choose those who were to govern, not ourselves only, but myriads of others also, was surely a matter demanding the most careful deliberation, and the most conscientious caution: no selfish motive, no petty passion, no private predilection, could be allowed to interfere where considerations so immense and so various were at stake: every man must bring to the task his most enlightened judgment, his sternest honesty, his highest powers. This is the theory: what was the fact? This is what we might have expected to see: what is it that we have seen?

We have witnessed a scene in which all the better part of our national nature seemed to be abnegated and put off like a garment — which in many of its details should make Englishmen blush for themselves and for their country. We have seen a sort of Saturnalia — a licensed holiday for airing all the mean and bad passions of humanity; we have seen thousands drunk with foolish frenzy, hundreds of thousands drunk with ignominious beer; we have seen writers and orators busy in arousing envy, hatred, and malignity, by every stimulant within their reach; in awakening every furious feeling which ought to slumber for ever, and in torpifying every controlling principle which should never for an hour be laid to sleep; we have seen calumny and falsehood indulging themselves to an extent which in ordinary times they would not venture to approach; we have seen independent electors selling themselves, some for gold, some for flattery, some for ambition or revenge; we have seen respectable and noble candidates fawning, cringing, and truckling, in order to obtain a distinction which is honourable only when honourably gained; we have seen men who would not steal from a shop, yet complacently pocketing a bribe, and men who, at other times, would counsel no doubtful or disreputable deed, yet now asking a voter to sell his conscience and his

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country. In a word, we have witnessed scenes of low, dirty, shameless iniquity, which fill us with a double wonder: wonder that from so strange and guilty a process such a result as even a *decent* House of Commons can ever be obtained; wonder that so many men fitted to be legislators — high-minded, patriotic, honourable men, who desire a seat in Parliament from no sordid or unworthy motives — should be content to wade to that eminence through such a sea of clinging and soiling mire.

Not for the wealth of worlds, not for the empire of the old Cæsars, would we consent to lay upon our conscience the sins and sufferings comprised in and consequent upon a general election as now conducted — the covetous desires aroused, the malignant passions excited and let loose, the debauchery stimulated and assisted; the wounded self-respect, the tarnished honour, the compromised independence of many candidates; the social ruin of the honest voter who stands sturdily by his principles; the moral ruin of the bribed or bullied voter who deserts them; the conceptions of a whole people incalculably bewildered and relaxed. For it is a mistake to suppose that the evil passes with the hour — that the old sense of right and justice and truth revives in its pristine clearness as soon as the temporary storm which obscured it has swept past. 'Some leaves fall off every time the tree is shaken.' Let us look for a moment at the varieties of moral mischief produced by the late election, so as to form some estimate of the real cost of a new Parliament, as now chosen, to the better elements of a nation's life. How many candidates, of gentlemanly birth and education — desiring a seat in Parliament for the gratification of honest ambition, or for the real object of serving their country and forwarding great public objects — have yet purchased that seat by mean compliances which ought to leave ever after a weight upon their consciences, and must almost incapacitate them from turning to good a power which has been so unworthily obtained! How many have 'filed their 'mind,' as Shakespeare calls it, to meet the angry passions or foolish prejudices of the ignorant constituents whose votes they were soliciting—have, in clerical fashion, swallowed in the lump all the articles of a political creed, only a few of which they cordially believed — and have stretched, clipped, and warped their opinions to fit those of their committee or their borough! How many have perverted an occasion which, properly used, should be the most serviceable of all for the political education of the people — for instructing them in facts, for enlightening them as to principles, for eradicating false impressions, and preparing them for the proper discharge of their electoral duties — into an opportunity of confirming their prejudices, of endorsing

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their errors, of sealing and sanctioning their ignorance! How many — how nearly all — by going to their constituents, cap in hand, and *soliciting* their suffrages humbly, beseechingly, and *as a personal favour* — have utterly confounded and perverted in the minds of these men the true nature and reciprocal obligations of the relation between the representative and the electors, and have thus made themselves so many missionaries of misconception and demoralisation among the people! How few, who have gone through the ordeal of a hot contest and a hustings' cross-examination, can bear witness to themselves that they have in all things held fast their integrity; that they have evaded no unpopular but much needed declaration; that they have glossed over or pushed into the background no unpalatable but salutary truth; that they have never apologised and excused 'with bated breath and whispering humbleness,' where they ought to have boasted loudly and defended boldly; that they have never been ashamed of that which really was their glory, and gloried in that which was their shame!

Of drunken debauchery there is always a deplorable amount on these occasions. They are the rich harvest times of the publicans. There are few boroughs, except the very largest, in which beer, gratis and *ad libitum*, is not provided for all electors, and for hundreds who are not electors, but mere hangers-on, whose support, vocal or manual, it is thought may be serviceable. By this means, the election week is the period whence numbers date their ruin. To the reclaimed drunkard, it is often the return of 'the sow that was washed to its wallowing in the mire;' to the young man it is the first fall from which he may never be able to recover; to the wife and children of many a previously sober and industrious labourer, it is the commencement of a long course of domestic wretchedness — of poverty, desertion, and ultimate shame and crime. There are few persons conversant with elections who could not tell individual tales of this sort.

Let us look at another item of the account. It is reported that bribery has been more extensively resorted to at this election than for many previous years. But be this as it may, there is no doubt that it has prevailed, and always does prevail, to an infamous degree. Now, *what* is bribery when stripped naked, and undraperied by any of the softening phrases in which some faint remains of shame generally endeavour to disguise it? On the part of the corrupter, it is giving a man money to violate his conscience—to say that which he knows to be false — to do that which he knows to be wrong. It is offering him a mess of pottage, not to sell his birthright, but to

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betray his trust. It is hiring and tempting him to sin. It is, therefore, in the most precise sense, doing the devil's work. On the part of the corrupted, it is taking gold to send to Parliament, as arbiter of the destinies of his fellow citizens, the man whom he knows that he ought not to send. It is to accept blood-money. It is to lay upon his conscience all the evil which may result from the votes and influence of the man he thus nefariously sends. It is, simply and undisguisedly, selling himself to the tempter. It is to barter his virtue for a bank-note. It is to do that as a man, which in a woman is held the lowest abyss of infamy. The nation — *gentlemen* and poor men —have yet to be taught to view it in this light, before any new Reform Bill can produce its proper fruits.

Of the amount of intimidation and undue influence of every sort which was practised at the late election, it is probably impossible to form an exaggerated estimate. Landlords, customers, and employers have held worldly suffering over the heads of the unhappy electors, while priests have brandished spiritual terrors in their face. For voting according to their own judgment, *i. e.* for doing their clear and imperative duty — they have been threatened by the first with poverty, and by the last with damnation. They have been told that if they acted like honest men, their farms would be taken from them, or the sacraments would be refused them. They have thus been compelled either to flinch from their duty, or to do it under peril of earthly destitution or of eternal punishment. This is the mode in which our citizens have been educated in their civic duties. Nor does the guilt of this enormous wickedness lie altogether at the door of those who practise it: it must be divided in a far more equal measure than is commonly allowed, between the actual perpetrators and the nation, which year after year, in spite of warning, remonstrance, and entreaty, has yet persisted in leaving its perpetration possible. Let us look a little more closely at the mode in which intimidation operates. The voter is a humble tenant-farmer, an honest shopkeeper, or an industrious artisan. He has a wife and children whom he has brought up well. After years of patient toil he has begun to prosper in the world; to enjoy in the present and see in the future the natural recompense of his frugality and diligence. He is about to vote for a candidate whose principles he approves, and on whose character he places a just reliance. But his landlord, his chief customers, or his employers, favour the rival candidate, and scruple at no means of coercion to obtain the victory. They respect no man's conscience, and care for no man's ruin. They exercise their power without delicacy and

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without mercy. They insist upon the elector voting not as he thinks, but as they think. If he yields to the tyrannical pressure, and consents to purchase safety and worldly comfort by the sacrifice of his integrity, it is not for us, who have first conferred the franchise upon him, and then neglected to secure to him its unfettered exercise, — to judge him severely or to blame him harshly. But his peace of mind is ruined; his self-respect is gone; he feels himself a degraded and dishonoured man; and either his life is one of ceaseless self-reproach, or (as is more probable) his first sin paves the way for future ones, and the declivity becomes easier and sharper with every temptation and with every failure.

But suppose that he stands to his colours, holds fast his integrity, discharges his duty, and performs his promise. He is turned out of doors, and his family perhaps reduced to want. The fruit of long years of persevering and honest industry is lost — he is flung back to the bottom of the hill up which he has been climbing so manfully, with slow and painful steps, ever since his youth; he must leave his garden or his farm; he must sell his shop; he must seek out another home and a new employer; — and all this because he has conscientiously done what his country called upon him to do, and was bound to protect him in doing. We declare that we scarcely know which most excite our amazement and our reprobation: the robbers and oppressors who inflict these sufferings; the candidates who can bear, year after year, to call on their supporters for such sacrifices; or the statesmen who have been cognisant of these enormities for half a lifetime, yet have made no gigantic or decisive effort to suppress them. We do not understand how, Parliament after Parliament, they CAN ask poor and struggling electors to go through this fiery furnace of affliction and persecution in order to carry them into power or to sustain them there; or how they can enjoy power so purchased and so cemented!

Of the many other iniquities practised at a general election — all needing only a juster view of civic duty and of civic rights, and a purer and more natural standard of public morality, to sweep them away like chaff — we have left ourselves no room to speak. But when we sum up the whole — the brutal drunkenness; the low intrigues; the wholesale corruption; the barbarous intimidation; the integrity of candidates warped and stained; the honest electors who are ruined; the feeble ones who are suborned and dishonoured; the lies, the stratagems, the slanders, which stalk abroad in the daylight, naked and not ashamed; the desecration of holy words; the soiling of noble

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names — we stand aghast at the holocaust of victims — of destroyed bodies and lost souls, on whose funeral pile every new parliament is reared. And if we believed, which we do not, that these things are inherent and irremovable in our representative system, we should think it high time to sit down gravely and to count its cost.

In conclusion: while feeling how impossible it is, and how unjust and unwise it would be, to take our final stand on so imperfect and so improvable a measure as the Reform Act of 1832; while satisfied that it would be no very arduous task to devise a scheme of amended representation which every one might hail, and which no one need to dread; and while strongly impressed with the conviction that a period of prosperity and quiet is peculiarly the fitting moment for laying broad and deep the foundations of that harmony among all classes which alone can carry us safely through the perils of turbulent and troublous times, we are yet urgent above all things in preaching the wisdom of a cautionary and self-collecting *pause*, till we have realised our actual position, and deliberately resolved upon our future course. It is not action that we fear, but rash action. Till now, the only points of Representative Reform that have been really ventilated and at all adequately discussed, regard the lowering of the electoral qualification and the introduction of the ballot — two points which, salient as they are, are yet, if the views we have developed in this paper be correct, only single items of a great account — partial glimpses of a vast question. The subject must now be embraced and treated as a whole; and on that whole, few statesmen, in or out of Parliament, who have comprehended its magnitude, have made up their minds, or profess to see their way. It is not the simple, small, and isolated question which superficial and dilettanti politicians on both sides consider it. Before we can be ripe for action, we shall need information which has yet scarcely been asked for, and time for the mature weighing of reflections which have only just begun to suggest themselves. Our next step should be a final one, for we cannot afford to have a perpetual series of Reform Bills. Our next step, even if it be not a final, will, at all events, be a conclusive one, for it will decide in what direction, and probably at what rate, all future steps shall be made. A false step in advance of what is wise cannot be retraced; a defeat, consequent on attempting to defend an entrenchment in the rear of what is just, cannot be repaired. Our position must be chosen now — the principle by which we are determined to abide — the ground on which we

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mean to take our stand. It is, therefore, of vital moment that that position should be selected with the most deliberate judgment and should be one that will be defensible not for a time only, but for ever. If as, judging by their language, many seem to think, an overpowering, if not a pure democracy, were our inevitable goal; if universal suffrage, which all deprecate, were sooner or later the destined consummation of our polity; and all that wisdom and patriotism could do were to make the process as slow as might be, to die hard, to concede inch by inch, and postpone to the utmost the decreed evil — we confess we should have little heart to prolong the hopeless contest, and defer the inevitable fate. But we feel no such faithless despondency. We do not believe that, in England, unless the matter be deplorably mismanaged, we need ever concede anything which wisdom and justice command us to withhold. We are so satisfied that a really just position is not only always an *avowable* and a *defensible* one, but the most defensible one, (and weak and expugnable *only when not avowed*, but masked by a timid faithlessness in the power of truth,) that we are disposed to consider only what *we ought to do*, and to give little heed to representations of what we *must do*. Our motto is to seek safety, conciliation, and social harmony not by compromise, but by justice; not by giving to all classes the half of what they ask, but the whole of what they ought to have.

Time, however, for that adequate deliberation before action which can alone render action safe or salutary — time for the nation and its rulers fully to comprehend all the bearings, immediate and remote, of representative changes — can only be secured by such a course of conduct on the part of Parliament and the Executive as shall cut away all just ground from under those who clamour for prompt and decisive alterations — as shall leave it no longer in the power of the democratic party, or of the masses, to say, with reason, 'We should be more justly 'governed — our interests would have fairer and fuller consi-'deration — had we a larger share of electoral influence.' To call for delay on the plea of deliberation, and then to employ that delay in maintaining those injustices which are the great arguments against delay, would be a futile and most dangerous course.

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ART. VIII.—1. *A Treatise on Naval Gunnery, &c.* By Lieut.-General Sir HOWARD DOUGLAS, Bart., G.C.B., G.C.M.G., and F.R.S. London.

2. *Observations on the past and present State of Firearms.* By Col. CHESNEY, D.C.L. and F.R.S. London.

THE history of the 'Treatise on Naval Gunnery,' of which a third edition now lies upon our table, is curious and instructive. The author, a younger son of the late Admiral Sir Charles Douglas, entered the Military Academy at Woolwich as a cadet. He received his first commission in the Artillery, and served with that corps till he attained the rank of captain, when the Duke of York tempted him, by the offer of an unattached majority, to become a Professor in His Royal Highness's newly-established College for Officers of the Line, at High Wickham. It speaks well for the scientific knowledge and professional acquirements of Major Douglas that this selection should have been made; and the credit due to him — then a very young man — will not be diminished when we add, that in accepting office he took the place of the illustrious Scharnhorst, to whom, in the first instance, the professorship had been offered. Nor did he disappoint the expectations that were raised of him. He performed excellent service as teacher of Fortification at High Wickham. Some of the most distinguished of the staff officers who afterwards served under the Duke of Wellington learned their first lessons in the art of war from him; and more than one General came to him after the war in the Peninsula began, before assuming the command of his brigade or his division, to be taught the meanings of terms and the nature and purposes of arrangements, without some knowledge of which he would have been unable to obey the simplest orders of his chief, either in the attack or defence of fortified places. So entirely ignorant of the theory of their profession were the great bulk of British officers half a century ago.

As the war went on Major Douglas became naturally dissatisfied with his semi-civil occupation, and solicited and obtained permission to join the army in the field. He served in Spain upon the staff: sometimes with the English, but more frequently with the Spanish armies, and found many opportunities of verifying or correcting his own and other men's theories, by submitting them to the test of practice. We have heard that his suggestions at the siege of the Castle of Burgos might have changed the issue of that affair had they been acted upon in time; and that the part which he took in the operations of the

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flying squadron, which kept the enemy's garrisons along the coasts of Gallica and Biscay in a state of constant alarm, was most creditable. Yet the mind, accustomed to methodise and arrange its ideas, continued to methodise throughout. He was a student all the while that he served; and, as was natural in a man educated for the more scientific branches of the profession, he studied especially the capabilities of projectiles. Accordingly, when the Peace came, and leisure was afforded for comparing the results of experience with the principles to which they were referable, he betook himself to the more difficult operation of making his own views instructive to others. It may seem curious that this *soldier* should have directed his attention mainly to the artillery wants of the sea-service; but the fact is not hard of explanation. Sir Howard (for by this time he had succeeded, on the death of an elder brother, to the title) inherited all his father's zeal for the honour of the British navy, and lamented, with the nation at large, the tarnish which appeared to have fallen upon its renown in the course of the late war with America. He saw that, without a single exception, the capture of British ships had been owing mainly, if not wholly, to the neglect of the art of gunnery by their crews; and he resolved that the authorities should not have the excuse of ignorance to plead, if they persisted in giving even a tacit sanction to the continuance of so unwise a state of things. So long ago as October, 1817, he completed the first sketch of his work, and transmitted it to the Lords of the Admiralty. The receipt of the packet was acknowledged; and in November, 1818, a further request was added that the manuscript might be left at the Admiralty Office, in order that when financial and other circumstances would allow, their Lordships might carry the suggestions made therein either wholly or partially into effect. For this original sketch contained, be it observed, not only an explanation of the principles on which the art of naval gunnery depends, but the outlines of a plan for establishing a school of instruction, in which officers and others might be taught how to apply to practice the theoretical knowledge which they should acquire. Sir Howard readily assented to the proposal; yet, as is usually the case with inventors of systems, he had become slightly impatient of delay, and threw out a hint to the effect that considerations of delicacy alone hindered him from submitting his ideas to the ordeal of public opinion. Their Lordships seem quite to have understood the object of this allusion. They were tardy in taking notice of it, to be sure. In the palmy days of unreformed parliaments, and borough and family influences, public bodies, and especially Government boards, hurried themselves

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even less than they do now in dealing with such questions. But after the lapse of another year — that is to say, in November, 1819, — Sir Howard received, through Mr. John Wilson Croker, their Lordships' sanction to the publication of his manuscript, which was returned to him for the purpose. Finally, Lord Melville, the First Lord, accepted the dedication which was offered; and in due time, under the highest professional patronage, the first edition of the 'Treatise on Naval Gunnery' appeared.

The sale of works strictly technical like this, cannot be otherwise than slow; and of the intervals that occurred between the exhaustion of one edition and the demand for another, Sir Howard appears to have made good use. He suffered no improvement in the manufacture of weapons, nor any discovery in pyrotechnics, to escape him; but gathered each up, so to speak, as it occurred, and interwove them all, one after another, into the general argument of his book. The results are now before us; in the shape of a treatise, which will bear comparison with any performance of the kind which has appeared in any country of Europe. It is a perfect text-book for the artillerist, whether his field of labour be the camp or the quarter-deck; and will not be studied in vain even by the seaman whose main purpose is to make himself acquainted with some of the most important principles in naval tactics.

One of the chief merits of Sir Howard's work appears to us to lie here: that it has brought within a compass as narrow as is at all consistent with perspicuity every thing that can well be said on the subjects which it professes to handle. Perhaps, indeed, the very fastidious in style may discover some traces of pedantry in the minute subdivision of sections and chapters into what the author calls articles. But even this fragmentary method of dealing with matters at once multiform and technical has its uses; for, if it accomplish nothing else, it supplies frequent resting-places for the attention of the reader. Moreover, it relieves us from the duty of attempting any analysis of a dissertation which is delivered analytically from beginning to end. The reader has but to study, first, the table of 'Contents,' and then the 'Index to the Subjects,' and he will perfectly understand what we mean.

How can we pretend to extract the pith and marrow from sections, which the author, in the latter of these performances, has melted down to our hands? The attempt would be as little serviceable to the class of persons for whose use the treatise has been principally compiled as it would be unsatisfactory to ourselves. In referring such of our readers as are curious in

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details to the work itself, we propose, therefore, within the very narrow limits at our disposal, to confine our attention to one or two points which, as it appears to us, have scarcely received in other quarters all the attention which they deserve.

It will scarcely be forgotten that, in 1824, the naval and military authorities of this country had their attention drawn to improvements which were then going on in the fabrication of artillery, and of projectiles of various kinds, in France. Colonel Paixan's guns were described as casting into the shade every other species of artillery which had been fabricated. They were so constructed as to throw, indifferently, solid shot, hollow shot, and shells, of a weight and magnitude such as had never previously been thought of as suitable to the purposes of naval warfare. And, as usually happens with us, we made haste to imitate, and strove to go beyond them. First, 10-inch guns, measuring 9 feet 4 inches, were cast, of which the weight amounted to 85 cwt.; and by and by, when these proved too heavy for ordinary ships, 8-inch guns, measuring 6 feet 8½ inches, and weighing 50 cwt., were substituted. It was found, however, that in coming down to this lower level, we had descended too far; and ultimately, in 1838, 8-inch guns, measuring 9 feet in length, and weighing 65 cwt., were brought forward. These soon established themselves in public favour; and now they enter largely into the armament of ships of all rates and classes, as well in broadside batteries as mounted upon pivots in steamers.

At first, and indeed for a considerable space of time, it was imagined that guns of this sort would not bear the enormous charges that are necessary for propelling solid shot. Orders were, therefore, given, that they should be used only for the discharge of hollow shot and of shells; that the charge of powder was not to exceed 10lbs.; and that, not on any account whatever, should double shotting be resorted to. Of course these instructions, resting upon a supposition which nobody called in question, brought shell-firing more into vogue than it had ever before been, and caused every ship of war to be supplied with a certain complement, correspondent to its rating, of that most destructive, but, on ship-board, most dangerous missile. By and by, however, experiments were conducted on board the 'Excellent' gunnery ship at Portsmouth, which gradually set aside this notion. It was found that 8-inch guns, weighing 65 and even 60 cwt., were nowise injuriously affected by the discharge of solid shot, provided the charge of powder were not excessive: indeed it took 20 lbs. of powder, with two solid shot, each weighing 68 lbs., and a junk wad, to burst the

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gun after it had been fired, with varying charges, not fewer than 242 times consecutively.

The results of these experiments went more and more to satisfy their Lordships, and the profession in general, that at length the very best species of armament which could be supplied to ships of war had come into use. 8-inch guns were distributed in increased numbers to line-of-battle ships; and the steamer which could show a couple of them, one at her bow and the other at the stern, was held to be irresistible. For what machine, made of timber and iron, could long withstand the well-directed fire of a pivot gun like this? The hole made by a single shot would put any vessel in jeopardy — two or three blows of the sort would inevitably sink her. For after disabling the chase with her solid shot, the steamer could ply her with hollow shot and with shells. And unless she surrendered, it must be the fault of the steamer's crew if she did not go to the bottom.

It is curious enough that while this fashion (for there is fashion in guns as well as in coats and bonnets) was at its height, experiments begun in 1839 were making manifest, that in respect to length of range the 8-inch gun could not be put into competition with the old 42, or even with the 32-pounder. Even at point blank it was inferior; for, each gun being loaded with 10lbs. of powder, the 8-inch gun and the 32-pounder threw their shot respectively, the former 474 yards, — the latter 475. But as soon as elevation began, the difference grew still more striking: the 32-pounder going beyond the 8-inch gun 72 yards at one degree, 122 yards at two degrees, and 144 yards at three degrees of elevation. The difference between the ranges of the 8-inch gun and the 42-pounder was still greater; but the weight of metal in the latter may, in a great measure, account for this; whereas the 8-inch gun weighs not less than nine cwt. over the lighter class of 32-pounder, and two cwt. above the heavier. Now though in broadside fight, and against the armament of vessels which are to take their place in the line, differences of this sort, unless they be very great, tell but little, in steamers and ships built for purposes of chase and reconnoitring, a superiority in range appears to us to be of all the qualities appertaining to ordnance that which ought most carefully to be considered. What could one of our steam-frigates do, with her 8-inch pivot guns, were she sent in chase of an American or French steamer of equal sailing powers, and carrying long 32-pounders? The latter, measuring her distance carefully, could manage to keep quite beyond the reach of the former; while, at the same time, she continued

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from time to time to throw a shot right into her decks. And if, after disabling the pursuer, she did not care to steam back and try conclusions with her at close quarters, her own escape would be effected as a matter of course. For it is worthy of remark, that the Americans, though not rejecting these shell guns from their broadside ships, have decided against mounting them in their steamers. And the French, if we be rightly informed, (though we cannot speak so positively on that head) are about to follow their example.

The first point, then, to which we would desire to draw the attention of those in power, is this, whether it be judicious in times like the present to continue a principle of armament for our steam ships of war, and especially for our steam frigates, which will place them, in the very method of battle which they are intended to wage, on a footing of inferiority towards the steam frigates of other nations? If the 32-pounder be considered as of insufficient calibre, why not try to increase the bore, without either materially increasing the weight of the gun or detracting from its capability of range. By a little judicious transference of the weight of metal to the breech, it has been shown that the propelling or reacting power of a piece of ordnance may be increased—if not to the extent which Sir William Congreve supposed, at all events considerably. But however this may be, it is clearly advisable, that vessels intended for desultory service should be armed with guns which, without overweighting them, shall carry to the furthest attainable extent of range; and forasmuch as the old 32-pounder has been shown to beat the 8-inch gun considerably in this particular, we should greatly prefer having *that* on every forecastle and poop of our steam navy, to the present state of its armament.

It is not, however, because of their inferiority as guns of chase to the old naval artillery of this country, that we object to an indiscriminate use of 8-inch shell guns on board of a ship of war. Besides that the effect of shells fired horizontally is not always to be depended upon, the risks to which both ship and crew are exposed of accidents in the use of them, appear to us fully to counterbalance the probable benefits to be secured. Let us explain what we mean, and call Sir Howard Douglas into the witness-box as an authority.

The destructive effects of shells are assumed to be proportional to the cubes of their diameters, upon the obvious principle that the powder with which they are charged expands with equal force in all directions, when exploded. But this is a law which, strictly speaking, applies only to shells after they have buried themselves in earth or under masonry. There they

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act like so many mines, and serve well to destroy ramparts, and to make breaches in escarpments. In almost every other situation, however, as on a hard pavement for example, or a platform, or any where else where there is no resisting medium opposed except to one portion of its surface, the shell expends its force on three sides only, and scatters its fragments upwards, somewhat in the shape of an unfolded fan. If a shell be thrown at a ship from a mortar and hit her, it will indeed prove a terrific missile. It will either lodge in her wood-work and tear it to pieces, or pass through her bottom and sink her. But to hit a ship by vertical firing is extremely difficult, owing to the smallness of the target and its constant condition of movement; indeed, except from coast batteries, such firing is rarely directed against ships under sail; for even the old-fashioned bomb-vessels, when brought into action at sea, fought their broadside guns as well as they could, but never thought of lowering their bulwarks, and getting their mortars into play.

Under the new system, ships of war are to fire live shells, not vertically, but horizontally, at the enemy's fleet. Now to ensure the proper effect of such firing, a great many accidents must be provided against. First, the charge of powder must be so nicely calculated, that at every conceivable distance, from 150 yards up to 2000, the shell shall strike the enemy's vessel with force enough to penetrate one side, and not go beyond the other. If a grain of powder too much be used, or a miscalculation of distance to the extent of a hundred yards occur, the shell will pass right through; and whatever damage it may do, would have been quite as effectually done by a round shot. If the charge be too weak, or the enemy more distant than was supposed, the shell is just as likely to rebound from her side as not; for unless a shell penetrate beyond its own diameter, the expanding force of the fibres throws it out again. Or assuming it to stick, yet not to be quite buried, even in this case the damage done will be comparatively trifling. For it is the property of exploded gas to escape where there is least resistance, and the violence of a shell not wedged and covered with timber will pass outwards.

Again, as the efficiency of a shell must depend altogether upon the right working of the fuze, it is very evident that under circumstances in which the fuze fails, the shell must fail also. Shells thrown vertically now and then shake out their fuzes, or some other damage occurs so that they fail to explode. This, however, is not a frequent occurrence. But when shells are thrown horizontally, they appear to be very liable to this sort of

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accident: and if they graze upon water, the fuzes get extinguished.

'It is found,' says Sir Howard, 'that four fuzes out of five 'are extinguished on striking the water, and about one in three 'on striking a ship; if the shell strike with the fuze end forward, 'which is generally the case, it is found that the timber, by its 'resistance, forces itself into, and effectually plugs the fuze.'

But shells can easily be invented, indeed they already exist and are in use, which do not depend for their explosive influence on live fuzes. We have both *concussion* and *percussion* shells; either or both of which are much better suited than the ordinary shell for general service at sea. Admitted: concussion and percussion shells equally adorn our arsenals. The former, it may be as well to inform our non-professional readers, is provided with an internal mechanism, which is so nicely adjusted, that while it resists the shock occasioned by the discharge of the piece, as well as the effect of a graze *in transitu*, yields to the concussion caused by the impact of the shell on the body struck; and shaking the burning composition of the fuze into the loaded cavity of the shell, causes the shell itself instantly to explode. The latter is a shell fitted or filled with a chemical composition of a highly explosive nature, which bursts the shell at the moment of striking without being previously ignited. But both the one and the other are liable to serious objections. The slightest flaw in the mechanism of the concussion shell will either cause it to explode in the gun, or hinder it from exploding altogether. And even if the machinery be perfect, it will act only in the event of the shell's coming in contact with a body sufficiently solid to affect it. A concussion shell will pass through the rigging, and in at one port and out at another, without exploding at all; and the fuze, like that of the common shell, is extinguished by a graze on water. A percussion shell, on the other hand, is so very fine in its composition, and requires such extreme delicacy in handling, that we defy the most expert gunners in the world to be quite at their ease when using it. And it will certainly explode the first graze that it makes, whether it strike the object aimed at directly, or be caught midway or in ricochet. In fact all ricochet firing with shells has been proved to be inoperative. Out of thirty-two thrown in this manner at Portsmouth in December 1838, only five took effect as they were intended to do.

It appears, then, that as far as probable damage to an enemy is concerned, horizontal shell-firing cannot be considered as adding very much to the power of a ship's battery. If one shell take effect, and be pitched into the place best suited to it, the results

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must be dreadful. But as not one out of ten can be expected to act thus decisively, the other nine become, in point of fact, so many round shot, and they are round shot of a very costly description. But this is not all. Shells cannot be used on board of ship without great danger to the parties using them. In the first place, there is the risk of an explosion every time that the cap which covers the fuze is unscrewed. This actually happened on board her Majesty's ship the 'Medea,' and the consequence was, that three of the beams of the lower deck, on which the shell rested, were broken; the deck above was driven up several inches; four or five of the crew were killed, and a panic spread throughout the vessel. In the next place, when an action has fairly begun, there necessarily occurs so much of confusion, that with shot and shell scattered indiscriminately about the deck, each is liable at any moment to be used instead of the other, to the imminent hazard of the gun's crew. In the third place,—and this must tell especially where percussion or concussion shells are used,—a shot from the enemy's battery taking one of your shell-boxes, may set the ship on fire. And as these boxes must be ranged or hung up for use between decks, the chances are at least equal, that sooner or later in the course of the fight such collision must occur. Are we then arguing against the use of shells, and consequently decrying the weapon which is looked to in the service as more effective than any heretofore invented on board of ships? Certainly not. We would have every line-of-battle ship and broad-side frigate, whether she be a sailing vessel or a screw steamer, supplied with a certain proportion of these shell guns. But we would keep them, as howitzers are kept on shore, for particular services; and forbid peremptorily the handing up of a single shell from the magazine, till shell-firing, and nothing else, had been resolved upon. Moreover, we should withdraw them entirely from the bows and sterns of those lighter steamers which are intended to act as skirmishers on the high-seas, and videttes in observing an enemy's ports. You require in these the greatest possible power of inflicting injury at a distance; and this object, it has been clearly shown, is not, with the 8-inch gun, attainable. In a word, all that we recommend is, caution; and an incessant investigation into facts which are as yet far from being settled. For it is quite as unreasonable to conclude that every thing which is new and looks well must therefore be an improvement, as it is to affirm that all novelty must be a change for the worse.

Captain Moorsom, R.N., has, we believe, invented a percussion shell, of which the merits are highly commended. So has M. Billette, Capitaine de Corvette, on the other side of the

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water. And if it be a merit in such implements to destroy life as extensively and as surely as possible, (which we presume that it is), then M. Billette's invention goes far beyond Captain Moorsom's in excellence. Indeed, M. Billette has done more; for he has invented a sort of grenade also, which, as well as his shell, contains a quantity of incendiary matter, and may be thrown with the hand, or tossed by means of a sling fastened to the right arm, from the tops upon an enemy's deck.

'Ces cylindres,' says Colonel Charpentier, of the French Marine Artillery, 'sont les mêmes pour tous les projectiles 'creux; et ils ne diffèrent entre eux que par leurs dimensions, 'qui varient suivant le calibre des projectiles. La nouvelle 'composition dont on se sert pour garnir les cylindres brûle 'avec beaucoup d'intensité, et donne un grand developpement 'de chaleur ainsi que beaucoup de fumée pendant sa com-'bustion; en sorte que cet incendiaire remplace avec avantage 'la roche à feu et les mêches que l'on employait pour obtenir 'le même effet.'

Sir Howard, like a chivalrous English soldier, is very indignant both with the individual who has invented, and with the nation which adopts, this diabolical instrument. He even denounces the shell system as 'atrocious,' and while he warns our neighbours that 'we are provided with abundant means of 'trying it, if unhappily it should be forced upon us,' yet takes pride in considering that 'we are not the originators of it,' and would have gladly held aloof from it, had we been permitted.

But with all possible respect for our author's generous resentment, may we not, without offence, acknowledge that to us it appears to be exaggerated? Very true; when ships come to fight with fire (if indeed they ever do come to this) opportunities will not be afforded for those noble impulses which gained for the followers of Rodney and of Nelson the gratitude and admiration of their very enemies. There will be no more launching of boats to save the crews of ships sunk by the fire of the very hands that man them. But, after all, may not good come of this? The more destructive their weapons are, the less willing will nations be to use them; and if universal peace be ensured by the mere horror of a war which threatens to exterminate, will not the civilised world be the gainer? War is a dreadful occupation at the best; the sooner it becomes too dreadful for Christian men to be forced into it, the better for the cause of civilisation, of progress, and of truth.

Meanwhile it is not with the construction of fire-arms or projectiles, exclusively, that the spirit of invention in naval affairs has been busy. The French first took up the idea that iron was

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a material better suited in many respects to the purposes of ship-building than wood: they wrote about it, experimented on it, and did, we believe, launch a steam frigate or two; but they went no farther. We, on the contrary, jumping at conclusions, caused not fewer than thirty keels to be laid down at once; and at an expense so serious that we are unwilling to bring its particulars back to public recollection, completed a very pretty iron squadron, and boasted that we were perfect masters of the narrow seas. But by little and little circumstances occurred to shake even the faith of the Admiralty in its own wisdom. In 1846 the iron steam ship 'Lizard' was exposed to the fire of an enemy's battery in the Parama. 'It was found,' says Sir Howard, 'that on being struck, the plates of the ship bulged, 'and the perforations were so irregular and jagged, that for the 'purpose of stopping them the common plugs were quite useless. 'This circumstance suggested the expedient of employing what 'has been called a "parasol plug," which consists of an iron 'bolt furnished with arms of the same metal and covered with 'thick canvass well tarred. On being thrust through the shot-'hole, and then forcibly drawn back, the head expanded, and 'thus, the aperture being covered, the leak was closed. In 'consequence also of the ship being struck, the splinters and 'rivets detached by the shot, flew about like grape, and nearly 'all the men killed and wounded suffered from this cause. 'Grape shot fired at a distance of 200 yards, pierced the side; 'and persons present, who were highly capable of judging, con-'curred in opinion, that a 32-pounder shot would have gone 'through the sides of three or four iron steamers, doing damage 'which would be successively greater in those more remote 'from the ship first struck, till the force were spent. A remark-'able circumstance is said to have happened to the 'Alert' at the 'same time. An infantry soldier fired his ramrod at her, when, 'like a dart, it went point foremost, quite through the nearest 'side of the funnel, but being prevented by the button from 'passing through the other side, it fell down in the interior.'

These, with similar stories, coming to the ears of my Lords, directions were given for doing that which ought to have been done in the first instance. And a series of experiments carried on from the 'Excellent' proved, beyond the power of contradiction, that for purposes of war, a ship constructed of iron is of no use whatever. Wherever shot went clean through, they tore the metal to pieces. As often as by diminishing the charge, the shot was made to strike with comparative gentleness, it burst in the iron, scattered it about in lumps, not unfrequently itself broke into a score of fragments, and committed such havoc as

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must have cleared the decks in a trice. Forthwith the iron steam frigates were stripped of their heavy armaments, and then a question arose, what was to be done with them.

It was not slow in being answered. Though iron vessels could not resist shot, they were capital sailers. It would be a cruel waste of public money to dismantle, or even to sell them out of the service. Why not make use of them in meeting a cry often raised in the House of Commons, and elsewhere? They were in every respect suited to act as transports; and as transports they continued to be kept in commission. Nor was there, as far as we have ever heard, a single warning voice raised against the measure. On the contrary, all the world approved of it*; and even Sir Howard, though, as it appears to us, with a somewhat doubtful accent, joined in the cry. After explaining, in Appendix I., that 'the Admiralty had acted wisely in em-'ploying some of these vessels, lightly armed, as troop-ships,' he goes on to say:—

'There can be no doubt of the advantages and expediency of employing those vessels as troop-ships in time of peace. Their safety from conflagration, their speed with steam-power, the advantages of the screw, which admits of such vessels having great sailing power, and, on the whole, their great capacities and capabilities of voyaging, which have been so well exemplified in their performances, prove that the best possible use is being made of those vessels by so employing them during peace. But in war it is not enough that the people on the upper decks will not be exposed to the destructive effects produced by shot on iron, by the substitution of timber for that material in the upper works, for the main decks appropriated to the troops will still be liable to the terrific effects described and delineated as above; and although, by the happy expedient of water-tight compartments, the vessel, however desperately damaged, may be prevented from sinking and the troops from being drowned, the latter cannot be protected from being killed and wounded in great numbers, or captured, in the event of being fallen in with and being attacked by any enemy's vessel armed with even a very few heavy guns.'

We are inclined to suspect, that had this passage not been printed off before tidings of the melancholy loss of the 'Birken-'head' reached us, it never would have been printed at all. Indeed, the only subject of surprise with us is, that a man of

* By a Paper on the Progress and Extent of Steamboat Building in the Clyde, by Dr. Strang, read before the late meeting of the British Association at Belfast, it appears that wooden hulls have been so far displaced by iron, that the proportion in 1852 was seventy-three iron vessels against four of wood.'

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science like Sir Howard Douglas should ever have permitted the fiction—for it is nothing else—of water-tight compartments to warp his judgment into a belief that an iron steamer with a hole in her bottom which the carpenter is unable to stop can, by any artificial contrivances of the shipwright, be kept from sinking. Of her superior sailing powers over a wooden vessel, so long as accidents do not occur, there can be as little room to doubt as there is to deny that her capacity of interior stowage is greater. For in vessels made of iron the weight of the material of which they are formed, and by which the displacement is produced, is considerably less than the weight of material in vessels made of timber and of the same displacement: and on this account, so long as floatation obtains, the specific gravity or weight of material tells in favour of the iron vessel. But the moment an iron vessel bilges, and gets filled with water, the case is reversed. Then the material of which she is formed becomes a matter of serious consideration; for in all vessels so circumstanced it is, in point of fact, either a sustaining or a sinking element, as the case may be. Now timber when immersed in water loses as much of its weight as is equal to the weight of the water displaced, and still floats. A cubic foot of oak when thus immersed in *salt* water has a buoyancy of 76 oz., a cubic foot of fir a buoyancy of 450 oz. But iron loses very little of its weight when immersed in water, and the sinking weight of that material is immense. When, therefore, an iron ship gets bilged, the weight of the iron, by its sinking power, tends to break up or tear away any part of the vessel which has lost its floatation, unless, indeed, she be so imbedded in a beach or on a bank as that she shall rest with all her length upon a solid foundation. This was the fate of the 'Great Britain,' which held together because she went bodily ashore. But the 'Birkenhead,' striking upon a rock, was pierced by it, and got bilged, and there stuck, with deep water both at the bow and the stern. It was impossible that an iron vessel, however stoutly built and skilfully put together, could fail in such a situation from speedily breaking up. For one or other of two contingencies must in all such cases occur. If the ship be built with water-tight compartments, and they are so skilfully constructed as to resist the violence of the tide, and keep the bow and stern afloat, the midships, which has lost its power of floatation, acts, by the specific gravity of the iron, with prodigious force in a contrary direction; and there cannot be conceived to be in bolts, or bars, or sheets of iron strength enough to prevent the ship's back from being thereby broken. If, on the other hand, there be no water-tight compartments, or if through

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wear and tear, or any other cause, they do not act effectually; then a result quite as disastrous, and perhaps still more rapid, ensues. With deep water at both ends, and her centre fast upon the ridge, the sinking weight of the iron will as infallibly snap her asunder as the twig which a boy lays across his knee is snapped by the pressure of his hands. We have no doubt whatever, from the facts of the case and the nature of the evidence which vouches for them, that in this manner the unfortunate 'Birkenhead' went to pieces. And we are equally satisfied that had she been constructed of timber, though the probabilities are that she could have scarcely escaped sinking in the end, time enough would have been afforded, in so calm and moonlight a night, to save the lives of all that were embarked in her.

We are not unaware that steam vessels constructed of wood have perished under circumstances which at first sight may appear to be analogous to those which surrounded the 'Birkenhead' when she went down. The 'Avenger,' for example, struck and went down almost more immediately than she. But let it not be forgotten that the 'Avenger,' when she struck, was going at full speed; that the wind, if not a hurricane, blew very fresh; and that such a surf broke over both reef and wreck as would have torn the stoutest ship that ever swam to shreds, and wholly prevented the surviving crew from holding on either by the rocks or by the fragments of the ship which floated past them. The 'Birkenhead,' on the other hand, was going at half-speed, and the sea, smooth as a mill-pond, as it enabled a good swimmer to make his way to land, so it would have floated any raft, however loosely put together, had there been time or materials wherewith to construct it. And this, by the way, suggests another reason why iron-made vessels are of all others the least calculated to do efficient service as troop-ships. When a wooden vessel breaks up, her fragments, in greater or less bulk, float about. Many a shipwrecked mariner has been saved by clinging to the poop or forecastle, or quarter-deck, or broken ribs of the ship. But an iron vessel no sooner parts than she goes down bodily, her very masts, if not previously carried away, going with her. In such a night as that which beheld the catastrophe off Point Dangerous, who can doubt but that had the 'Birkenhead' been a wooden instead of an iron ship, the fragments into which she broke up would have carried all her crew and passengers to shore?

It was a grievous error in judgment the building of these iron war-ships at all. It will involve a very heavy moral responsibility to continue them in the transport service. And

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we are much mistaken if the author of the Treatise on Naval Gunnery, in spite of the equivocal sanction which he gives in his book to the measure, be not now of our way of thinking.

Here then we take our leave of Sir Howard Douglas, not without a feeling of regret that circumstances prevent our going more into detail, while speaking of the results of his labours. From what we have said, however, our readers will perceive that we entertain of them a very high opinion. And now before we lay down the pen it becomes our duty to speak of another, though scarcely a rival workman in the same field. Colonel Chesney is much more of a reformer than Sir Howard. He is likewise more continuously, if not elaborately, an historian. He undertakes to give an account of the origin and progress of firearms as weapons of war; and he accomplishes his purpose pleasantly if not always quite accurately. For example, we very much distrust the opinion which he hazards in regard to the early acquaintance of the Asiatic nations with the properties and composition of gunpowder. We have no belief at all in his tale of Porus's field batteries, and are exceedingly sceptical in regard to the claims of the Chinese to an immemorial familiarity with the properties of saltpetre and charcoal in combination. As to the Greek fire of the Byzantine empire, that appears to have resembled the substance which we call port-fire much more than gunpowder in any shape. But in telling these stories Colonel Chesney only repeats what other writers on the subject had stated before him, and relies — very much to our astonishment — on M. Louis Napoleon Bonaparte as a great authority. M. Louis Bonaparte has shown, either that he is a sharper fellow than men took him for in London, or that the French people are not so sharp as they always have been supposed. But on any point involving a disputed question in history, ancient or modern, we at all events must decline to accept his opinion as of the smallest value.

Colonel Chesney, like Sir Howard, treats at length the subject of the new rifle — a course in which we shall not follow him. For good or for ill, the Minié rifle has been adopted into our service; and, whatever its merits in other respects may be, it is certainly one of the clumsiest and most cumbersome weapons wherewith an infantry soldier was ever loaded. But the point on which he is strongest is the comparative neglect of his own branch of the service, and the impolicy of placing it under a separate administration so constituted as the Board of Ordnance. The Colonel opens a question here which is by far too important to be dealt with summarily. And as we have not time to deal with it as it deserves, we must avoid dealing

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with it at all. This much, however, we are constrained to say, that the severance of the engineer and artillery branches of the army from the direct control of the Commander-in-chief has always struck us as an anomaly for which no good reason could be assigned. And we rather think that statesmen, worthy of the name, whatever shades of difference there may be among them in other respects, are satisfied that concentration in the management of accounts of every sort holds out the best, if not the only, chance of getting public business done with the greatest facility, as well as economy, of which it is capable. We do not suppose that the day can be far distant when on a Minister of War will devolve the undivided responsibility of providing for the housing, the clothing, the armament, and the pay of the whole of her Majesty's land forces, at home and abroad.

Colonel Chesney is dissatisfied with the present organisation of his own corps. He would have it worked by battalions instead of companies, and sketches a plan whereby his object might be attained, without any additional expense or inconvenience to the service in general. There is a good deal in all that he says, yet experience appears to be against him. The artillery organisation in this country is strictly, and always has been, a company organisation. Each battery is complete within itself, nor can we see that much would be gained in the field by describing four batteries as a battalion, and eight as a regiment. For, except in the reserve, batteries seldom act permanently before an enemy in masses. To gain a point a general may draw together the artillery of two or more divisions; and their concentrated fire, unless resisted by an equal volume, will probably effect his object. But the particular post being carried or maintained, and ulterior operations making demands upon him, he is obliged to break up his mass again into its constituent parts; and so, for all the ordinary purposes of a campaign, it is upon the integrity of each battery that its effectiveness must depend. We consider Colonel Chesney's proposal, therefore, to regiment the artillery, as bearing upon a subject in itself not very important. For we doubt whether by this means promotion would be accelerated in the corps — which, unless it be organically changed, must always stand towards the infantry and cavalry in the light rather of a subsidiary than of an integral portion of the army. But we are not disposed to speak so lightly of another of his proposals, namely, that the calibre of pieces employed in the field should be consolidated, and only one species of gun, a 12-pounder howitzer-gun, henceforth brought into play. Certainly there would arise from some arrangement

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of the sort this advantage, that the ammunition being all of the same class, all risk of getting 9-pounder balls served out, in the hurry of action, to 6-pounder guns, and *vice versâ*, would be avoided. Whether or not an arrangement which seems to answer in the French service be inapplicable to ours, we shall not take it upon us to say. For there is no nation under the sun, in which so many little feelings of personal and departmental jealousy operate as in our own; and it is quite possible that even these, were no more important obstacles presented, might stand in the way of it.

Again, Colonel Chesney complains, and when he wrote the complaint was just, of the utter inadequacy of the artillery force which during many years back has been kept available for active service in this country. He compares the number of field guns which we maintain with the field batteries of other nations, and proves, that in proportion to the infantry force of each we are below all the armies of Europe. Now, of all people under the sun, we ought to be the most careful of our artillery. War with us will probably be, at the outset, a war of defence. And to resist an invading force, a powerful artillery is essential. But we are happy in being able to relieve Colonel Chesney's mind on this subject. Under the able administration of Lord Hardinge, the ordnance department of the service appears to be acquiring new life. Not only is the regiment augmented by a thousand men, but additional hands are at work in the arsenal at Woolwich, and we are assured that ere long there will be disposable,—horsed, harnessed, equipped, and supplied with the first line of waggons,—twenty batteries of six pieces each, having a couple of howitzers attached to each battery. This will give us one hundred and twenty field-guns, of which all intended for the service of the infantry are to be 12 and 9-pounders, while the sixes are handed over for the exclusive use of the horse artillery. We do not mean to say that even a hundred and twenty guns will suffice when war breaks out; and we shall be glad to hear that before it comes, our coast batteries, martello towers, &c., have been fully armed over and above. But when this latter object has been accomplished, then we shall feel, that with twenty field batteries available on the first alarm, and a militia sufficiently organised to take garrison duty in the fortresses and great arsenals, the country may contemplate without alarm whatever preparations, covert or open, may be made to throw a hostile army upon her shores from France or from any other quarter of the world.

And now we must take our leave of writers, both of whom deserve a far more elaborate notice of their works than we have

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been able to afford to them. Sir Howard, cautious, yet decided, tells many truths which will be accepted as such without bitterness by those in power. Colonel Chesney is less guarded: he has neither solicited nor obtained the sanction of his superiors for the steps which he has taken, and is very likely to make enemies for himself by his plain speaking. This is the common fate of all who, more intent on correcting abuses and suggesting improvements than on carrying the heads of departments along with them, write or speak without circumlocution, and call a spade a spade. But he need not distress himself on that account. Whatever is good in his suggestions will force itself on, as soon as public opinion shall have been duly impressed with its importance. Whatever is defective, he himself, on more mature reflection, would desire to be forgotten. For ourselves, we like his book extremely, and recommend it to the attention of our readers.

ART. IX.—*Tracts on Finance and Trade, submitted to the consideration of the Electors of the United Kingdom.* By R. TORRENS, Esq., F.R.S. Nos. I. and II. London: 1852.

IN our Number for April last, we laid before our readers a brief narrative of the circumstances which attended the late change of Administration, and we described the course which had been adopted by Lord Derby and his colleagues, for announcing their policy to the country, and for carrying on the business of the Government. Since that time, the Session has been brought to a close, and the Parliament of 1847 has been dissolved. On the 1st of July the proclamation, which put an end to the late Parliament and provided for the return of its successor, was issued, and the elections of members to serve in the House of Commons have for some time been completed. The new Parliament is to assemble in November,—not indeed at as early a period as the distinct assurances of Lord Derby led the country to expect, but, we believe, as soon as the public interest demands; and the present time, therefore, seems well suited for a deliberate review of the position of affairs, and for an examination of the prospects of the country under the Ministers who now guide the national policy.

Notwithstanding the peculiar character of last Session,—although the Treasury bench was occupied by a Ministry which declared itself in a minority, and which existed only on sufferance,—yet several Bills of practical importance were passed. The

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late Government bequeathed to their successors, either as the fruit of the labour of commissions or of their own preparation, some useful measures of Law Reform, and some Bills relating to Water Supply and other municipal questions. These were put into shape and introduced by the present Ministers into Parliament, by whom they were sanctioned. The only important measure, of which Lord Derby's Government can claim the undivided paternity, is the Militia Bill. The project of a militia originated, as is well known, with Lord John Russell's Government, to which it proved fatal. The present Ministers adopted the principle, and embodied it in the measure which, after much discussion and opposition, and numerous modifications of the original details, as well as the abandonment of certain material parts, including the celebrated franchise clause, ultimately received the sanction of Parliament. How far it will be successful in accomplishing its object, or will add to the reputation of its authors, the experience of the next six months will decide. Another proposition of which the present Government may claim the exclusive authorship, was that for transferring the four vacant borough seats to two new county districts, in Lancashire and Yorkshire, one with the very suspicious name of West Derby. This proposition was resisted by Mr. Gladstone, who, in a conclusive speech, demolished the grounds on which the motion was made, and it was rejected by a large majority. The Budget of the Government was avowedly provisional, and could only be justified by the state of parties, and the imminence of a general election. It consisted simply in the renewal of the Income Tax for a year, and in leaving everything else untouched. Considering the history of the party now in office,—looking to their principles respecting Protection, local burdens, and general taxation,—it is clear that a routine and negative Budget, such as that of last Session, could only be excused on the ground that they were not armed with the ordinary powers of a government. Having asked and obtained the forbearance of their party on this ground, for their fiscal inaction, they nevertheless, at the end of the Session, began to claim credit for the measures of Law Reform, which both Houses had passed; as if they had, by their authority and influence, been the means of prevailing upon Parliament to pass these Bills, while at the same time their Budget was adjourned on the ground that they had not yet acquired an independent existence.

The Session ended without any definitive declaration of the Government on the subject of Protection, but the intention of throwing over the agriculturists, and of desisting from any attempt to reimpose a duty on corn, which was sufficiently apparent from

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the beginning, was, after Easter, announced in less evasive and unambiguous terms. The covering was gradually withdrawn, but towards the end of the Session, the resolution of the Government to acquiesce in the Corn-law settlement of 1846, was laid bare to the naked eye. The process of disclosure was, however, effected in the tortuous and uncandid manner which has hitherto adhered to this Government through all its movements. Although the Budget was a milk-and-water affair, Mr. Disraeli's budget speech was highly important. He might have accompanied his motion to renew the Income Tax for one year with a dry statement of the last year's receipt and expenditure, and of the estimate for the year to come; and he might have excused himself for not saying more, by the provisional state of the Government. Instead of doing this, he adopted a different course. He laid before the House a lucid, well-arranged, accurate, and, we are bound to add, fair and honest account of the successful results of the Free-trade policy, brought down to the latest period. In stating these details, he dwelt with particular care upon the consequences of the late changes which the Protectionist writers and newspapers had most frequently contested, even to the length of denying the accuracy of the official accounts; but which, when coming from his mouth, admitted no longer of dispute. In making this statement, Mr. Disraeli certainly retracted no previous opinion, and merely reproduced the results of the official accounts in his possession. Nevertheless, the impression which he left on the minds of his audience, was that he had no Protectionist convictions, and that his mind was fully impressed with the practical success of the Free-trade measures.

Such seems to have been the impression which the speech in question produced, not only on the Free-trade party in opposition, and on the public at large, but also on the well-drilled and much enduring supporters of the Government. For not many days after the Budget had been opened, Lord Derby, at a dinner at the Mansion House, took occasion to deliver a political lecture on the advantage of *compromises**; which, whatever may have been its design, was undoubtedly understood as intended to take off the edge of his Chancellor of the Exchequer's recent Free-trade speech, to which he made an express reference; and to shadow out to the country the desirableness of restoring a five shilling duty on wheat, as a fair compromise between total repeal and a prohibiting duty,—or some other partial concession to the demands of the landed interest.

It appears to us highly inexpedient that speeches upon import-

* See the 'Times' of May 10th, where the speech is reported.

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ant political principles, affecting the practical interests of the day, should be made by Prime Ministers after dinner, during the Session of Parliament. If Lord Derby had made this speech in his place in the House of Lords, the question which he raised might have been debated, and we might have obtained some light as to the nature of the particular compromise which he attempted, by insinuation and by the use of general terms, to recommend; as it was, he merely succeeded in throwing a doubt upon the effect of Mr. Disraeli's speech, and of making the public suppose, that while the Chancellor of the Exchequer wished to abide by Free Trade, the Prime Minister thought it possible that a small duty on corn, or some measure of compensation to agriculture, might still be extorted from the country. But the public was not kept very long in this suspense. The budget speech was made on the 30th of April; the speech at the Mansion House on the 8th of May. In the course of a few weeks, another and a larger portion of the veil was removed from the Protectionist intentions of the Government. In reference to the approaching dissolution of Parliament, Mr. Disraeli, on the 2nd of June, issued an address to the Electors of Buckinghamshire, in which he took occasion to expatiate on the position of the country, and to set forth his opinions on the policy to be adopted with respect to Protection and Free Trade.* After some introductory remarks, on the three great Free-trade measures of the last six years; namely, the repeal of the Corn Laws, the equalisation of the Sugar Duties, and the repeal of the Navigation Laws, he proceeds as follows:—

'The farmers hitherto have been the persons who have been 'most injured by the repeal of the Corn Laws, but the diminution 'of rent in Great Britain is greater than is generally supposed. 'In preparing the official statement for this year, it was officially 'represented to me, that I must contemplate, in estimating the 'produce of the Income Tax, a diminution of rent not much 'less in amount than 5,000,000*l.* sterling. Practically speaking, 'in this country, rent has become a return for the capital 'invested in the improvement of Land. *Laws to secure a 'return for such investment are not for a moment to be tolerated;* 'but laws, which, *by imposing unequal taxes,* discourage that in- 'vestment, are, irrespective of their injustice, highly impolitic; 'for nothing contributes more to the enduring prosperity of a 'country than the natural deposit of its surplus capital in the 'improvement of its soil. Justice to the land, in all systems of

* This address is printed in the 'Times' of Monday, June 7th.

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'finance, is equally the interest of the proprietor and the farmer, 'but it is also equally the interest of the community.

'There is no portion of the United Kingdom that has suffered 'more from the precipitate repeal of the Corn Laws than Ireland. '*The claim of that country to the consideration of Parliament is* '*irresistible.*

'The time has gone by when the injuries which the great 'producing interests endure can be alleviated or removed by a 'recurrence to the laws which, previously to 1846, protected 'them from such calamities. The spirit of the age tends to free 'intercourse, and no statesman can disregard with impunity the 'genius of the epoch in which he lives. But every principle of 'abstract justice and every consideration of high policy counsel 'that *the producer should be treated as fairly as the consumer,* 'and intimate that when the native producer is thrown into un- 'restricted competition with external rivals, it is the duty of the 'Legislature in every way *to diminish, certainly not to increase,* '*the cost of production.*

'It is the intention of Her Majesty's Ministers to recommend 'to Parliament, *as soon as it is in their power,* measures which 'may effect this end.

'One of the soundest means, among others, by which this 'result may be accomplished, is *a revision of our taxation.* 'The times are favourable to such an undertaking; juster 'notions of taxation are more prevalent than heretofore; powerful 'agencies are stirring, which have introduced new phenomena 'into finance, and altered the complexion of the fiscal world; 'and *the possibility of greatly relieving the burdens of the com-* '*munity, both by adjustment and reduction,* seems to loom in the 'future.'

The meaning of the preceding passage (however it may be disputed by the Protectionist supporters of the Government) seems to us plain and obvious. Mr. Disraeli, speaking in his official character of Chancellor of the Exchequer, of Cabinet Minister, and of Leader of the House of Commons, and therefore as the authoritative organ of the Government, renounces all intention of proposing a recurrence to the laws which, previously to 1846, had protected the great producing interests of the country. These laws were the Corn Law, and the Act regulating the sugar duties: the Navigation Laws were not repealed till 1849; but they appear to be included in the purport of his proposition. He repudiates the idea of restoring these protective measures, not on any narrow ground derived from the peculiar character of the restriction—such for instance as the difference between a fixed duty and a sliding scale—but because a

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restrictive and protective commercial policy is repugnant to the genius of the present age. Having thrown aside the Protectionist system, as unsuited to the circumstances of the case, he tries to find some other remedy for the evils inflicted on the native producing interests, by unrestricted competition with the foreign producer. This remedy, he announces, is to be found in a diminution of the cost of production. This is the object at which it is the duty of the Legislature to aim; and he plainly declares that Her Majesty's Ministers intend to recommend to Parliament, as soon as it is in their power, measures for effecting this end.

The end which Mr. Disraeli has in view, and to which the promised measures of the Government are to be directed, may, it seems, be attained by more ways than one. But the measure for compassing this object, which he considers the soundest, is a *revision of our taxation.* He lays it down that the times are peculiarly suited to this great work; and that, as the happy result of the various favourable circumstances which he enumerates, we may anticipate the advent of *great relief to the burdens of the community,* both by adjustment and reduction of taxes.

The intentions of the Government on the subject of restoring Protection did not receive any great additional light during the remainder of the Session. In a debate chiefly turning upon Mr. Mather's case, raised by Lord J. Russell on the 14th of June, Mr. Disraeli indeed created some surprise by declaring, that neither he nor Lord Derby had ever recommended a recurrence to the laws which regulated corn and sugar before 1846. With reference to the reimposition of a duty on corn, he then expressed himself in the following significant words, which prove at least that he does not form a very high estimate of the *popularity* of the Protectionist doctrines: —

'If a measure, though recommended by the highest economical authorities, is one *that the popular will repudiates,* I 'do not think that any minister is bound to propose it. But 'what is this measure that you seem always wishing us to 'propose—that you, with such anxiety, press for, and appear 'so jealous, if for a moment we lose sight of it? It is, after 'all, nothing but *a countervailing duty against certain inequalities 'of taxation;* and if we can remove those inequalities of 'taxation, and redress the fiscal injuries and injustice which 'we believe exist, without having recourse to *odious means,* I 'consider that we are acting in strict consistency with all we 'have said if we adopt those means; that we are acting in 'perfect unison with all that we have counselled, if we follow

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'the course which we think preferable, and *which we believe 'to be popular.*'*

About this time, a belief got abroad (either founded on Lord Derby's doctrine of the expediency of compromises, or on some other assurance of some of his colleagues) that the Government, having abandoned Protection, intended to introduce a change of taxation for the exclusive benefit of the agriculturists, by which all the other separate interests, and the public at large, would be losers. Lord Derby, accordingly, on the day preceding the dissolution of Parliament, took occasion to declare, that the measures to be brought forward by his Government in the next Session would not be intended to favour any particular interest, but would be framed so as to unite all classes, and to do justice to the claims of the entire community. We think it important, in order to prevent any misunderstanding, to annex his own words:—

'I will only say that in any measures which we may think 'it our duty to bring forward in the next Session, while, on the 'one hand, we shall not shrink from the endeavour to do justice 'to any class of the community whom we may think to be 'suffering under inequality of pressure and injustice of taxa- 'tion, I can assure your Lordships, at the same time, in all sin- 'cerity and with all truth, that our endeavours will be directed 'rather to reconcile than to exasperate the feelings of difference 'between classes; and so far from supporting the interests of 'one class as apart from the interests of the others, our object 'will be rather to obtain the confidence of the country at large 'by doing to the best of our ability, and with thorough im- 'partiality, that which we believe to be called for by the claims 'of justice to all the various interests of the country.'†

Parliament was dissolved on the 1st of July, and on the 14th Mr. Disraeli attended a dinner of a large party of his constituents, at which he made a speech containing his views on public affairs.‡ As this speech is very copious on the subject of relief to agriculture, we will extract from it, in the speaker's own words, the prospects which he holds out to that interest from the measures of Government in next Session:—

'I say, what is the reason the English producer, the English 'occupier of land, cannot compete with the foreign producer or 'occupier of land? I have always said the reason is, that the

* Hansard's Debates, House of Commons, June 14th, 1852.

† Lord Derby, House of Lords, Wednesday, June 30th, 1852. (*Times' Report.*)

‡ See the 'Times' of July 15th, for a report of the proceedings.

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'English producer is under a system of taxation, a system which 'is in general applied to himself, which is in particular applied 'to the class to which he belongs, entailing upon him burdens 'which do not allow him to run the race on equal terms. This 'is what I said. And, gentlemen, I have also said, that the 'Protectionist system was not to be justified unless you can 'show these circumstances exist. And I still believe these cir-'cumstances do exist in this country, however much they may 'be modified, *and that the principle of Protection is sound;* that 'in a society which is artificial, in which there exists a financial 'system so complicated as our own, it was much better to 'adhere to compensating arrangements for the protection of the 'cultivator of the soil than that you should madly leave him an 'unequal competitor with the foreigner. And this principle, I 'say, is at all times to be modified according to existing circum-'stances. But, gentlemen, the Protective principle was not 'only a sound one, but it was a principle to the advantage of 'the country, and the only principle upon which our present 'system of finance could be vindicated. You could not vindi-'cate a system that rested individually and mainly upon the 'cultivators of the soil, unless in its operation it gave some 'compensatory relief to those whom it placed under particular 'restrictions. Well, I say, gentlemen, if the country has 'chosen to abrogate that system, and if the majority of the 'people of this country are of opinion it would be unwise to 'recur to it, I say we must seek by other means, and in another 'direction, to place the cultivators of the soil in a fair and just 'position. Now, gentlemen, that is all I have ever said. It is 'what I am perfectly ready to maintain. I said it in Oppo-'sition, as your member; and I say now, as a Minister of the 'Crown, I am perfectly prepared to advise Her Majesty to 'carry it out. Now, gentlemen, it has sometimes been said, 'that the policy which I wish to pursue has been of but limited 'compass; that it referred only to the burdens entailed upon 'land by our system of unfair taxation. Well, gentlemen, in 'the first place, if there are any particular burdens on one class 'which the rest of society do not bear, I say, as a matter of 'principle, that there ought to be redress. But I utterly deny 'that at any time I have told you that proper measures of 'redress were solely or wholly to be got by any advantage 'which might arise from the adjustment of particular burdens 'entailed by local taxation. . . . . I have not told you, I do not 'tell you now, that this would give you a sufficient, or that this 'would give you the chief means of redress. I say no. *It is 'in reviewing, it is in adjusting, the whole system of national tax-'ation;* it is in placing this system upon a just basis, that the

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'producer will find that justice which the consumer, which 'every fair and upright man, could wish him to secure. Gen- 'tlemen, the old question was simply this: You said it re- 'quired a system of legislation which would secure to you an 'artificial price. You were always taught to believe that in 'raising prices you would find redress; and in my opinion it 'would have been very wise not materially to have destroyed 'the old system. But there is another view of the case, another 'view of your position, another means by which you may obtain 'redress, and a means more practical than recurring to the past, 'which is beset with infinite difficulties. *It is not to increase 'prices in order that you may have a fair remuneration for your toil; 'but it is, gentlemen, to reduce the cost of production.* Now that 'is the sound advice which the agricultural interest must act 'upon. You are told that it is one of the necessities for the 'prosperous condition of England that the bread of the people 'should be cheap. Well, I say, take care that the producer of 'that bread shall be able to produce it as cheap as possible. 'Now, gentlemen, you will find, if you adopt that view of the 'case, that you who are occupiers of the soil will more gra- 'dually get the feeling of the country in your favour, and at the 'same time more perfectly secure compensation for yourselves. 'It is, as I have said, in reviewing the system of taxation which 'exists, and in the adjustment of that system, that the cul- 'tivators of the soil will find that compensation which they 'have a right to expect from [for?] the abrogation of that law 'which gave them artificial prices; and I say, in accordance 'with the spirit of the age, and with the temper of the country, '*let your produce now be raised upon the cheapest possible prin- 'ciple.* But then it follows you must not allow your native 'produce to be shackled by laws which hinder the producer 'from competing with foreign countries. It follows that *in the 'new principle of justice* the cultivators of the soil shall no longer 'remain the only class incapable of receiving a fair profit for 'their industry. *It follows you must take care that the same 'justice be done to all Her Majesty's subjects.* And I am well 'aware, gentlemen, if the question be viewed in that light, *and 'if taxation shall certainly be placed upon a new principle, I am 'convinced we shall be able to bring forward measures of relief 'which will receive the sympathy and approbation and support of 'all the various classes of this country.*'

In his speech at his election in the Shire Hall, on the 16th, Mr. Disraeli reiterated many of the same topics*; but our

* Reported in the 'Times' of July 17th.

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space does not permit us to extract more than the following passage:—

'Gentlemen, I don't pretend to think that any adjustment of 'local taxation would give the redress that is necessary to the 'cultivator of the soil; nor do I think that, in entering upon 'the question of a revision of taxation, we are to consider the 'interests of any class alone, however respectable. I carry my 'views much further, and I look with confidence to the moment 'when the Government (whom some, who are not entitled to 'do so, now presume to treat with contumely) will bring forward 'measures, which, while part of those measures will redress the 'grievances of the cultivator of the soil, and place him in a fair 'position for the exercise of his industry and the employment 'of his capital, will, at the same time, by their wise and com-'prehensive character, *relieve every class in the country* by the 'introduction into the system of taxation principles more just 'and beneficial than those which have hitherto been its basis.'

If, therefore, we put together the declarations of Lord Derby and Mr. Disraeli on the subject of Protection and Free Trade, between their accession to office and the general election, the position of the Government with respect to this question seems to stand thus. The Ministers hold that the Free Trade measures on corn, sugar, and the Navigation Laws were hasty, unjust, and unwise in their conception and execution, and in their consequences have been highly detrimental to the producing interests affected by them. They nevertheless see, with regret, that the country is not prepared to re-establish a system of Protection for the benefit of the landed and West India and shipping interests, and for the purpose of raising the prices of grain, sugar, and freights; and, therefore, they wish that some other measures should be passed for improving the condition of the producer. They believe that the cost of production, particularly for agricultural produce, is increased by unjust taxation; they think that this injustice may be redressed, partly by a transfer of certain local burdens to the Exchequer, or by including personal property in the local rates, but chiefly by a general revision of the Queen's taxes. By a proper change of taxation, the grievances of the agriculturists may, they hold, be removed, with the concurrence of all other classes of the community. They consider the present time as peculiarly well fitted for the accomplishment of the revision of taxation, both general and local, which they meditate; and they intend, as soon as possible, to lay before Parliament the measures for carrying their plans into practical effect.

The essence of the agreement made between Lord Derby's

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Government and the Free-trade Opposition in the early part of last Session was, that, as soon as the measures necessary for the current service of the year had been passed, Parliament should be dissolved, principally in order that the question of Protection or Free Trade should be decided at the hustings. The Government, however, as we have seen, contrived before the end of the Session, to disconnect themselves with the question of Protection, —though always with some reserve and equivocation of language,—and the issue upon which they went to the country was, in truth, little else than a general confidence in Lord Derby's Government. An abstract entity was formed, called *Derbyism;* and the persons who were initiated into the mysterious and hidden doctrines appropriated to it, were called *Derbyites.* Not having ourselves been admitted into this fraternity, we are unable to describe the exact composition of the article; but we believe that a large portion of Protectionism, mixed with some No-Popery, and some hostility to Parliamentary Reform, are its main ingredients. At the same time, Derbyism, as expounded on the hustings, was a very malleable and uncertain creed; and might, like Martinus Scriblerus's abstract idea of a Lord Mayor, be successively stripped of all its characteristic appendages. For a Derbyite in a county was a Protectionist, in a small town was neutral, in a large town was a Free Trader. In Ireland, he was for the Maynooth Grant, but in Scotland against it. In like manner, his dread of democracy, or his disposition to yield to the spirit of the age, varied according to the constituency and the probable result at the poll. Hence it will, we suspect, be found, when Parliament meets, that Derbyism is merely a name, and represents no fixed and tangible set of opinions. When the inanity of this new creed is made apparent, the disappointed devotee, on discovering his illusion, may exclaim,—'Te colui virtus, ut rem; at tu nomen 'inane es.'

Lord Derby, contrary to the established constitutional practice, announced that he had opinions, but no practical intentions, on commercial and financial subjects, and that he intended to appeal to the country for a policy. The country have answered that appeal by returning a House of Commons, of which (as we are assured by the organs of the Ministry) the majority are prepared to place confidence in Lord Derby's Government. This interchange of courtesies may be highly pleasing to the Ministers and their supporters; but we doubt whether the public will derive any substantial benefit from it. Lord Derby, with a gracious smile, says to the country; 'Pray 'have the kindness to give me a policy.' The agricultural and

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Protectionist constituencies make him a low bow, and say: 'We 'place unlimited confidence in your Lordship's Administration.' This operation may prove the good breeding and excellent manners of the English people, but we do not perceive that it has either provided Lord Derby with the policy of which he was in search, or that the Protectionist electors have given their confidence to any set of principles, or for any other purpose than that of keeping a given set of men in office.

The result of the general election is now before the country, and it is clear that the composition of the new House of Commons is not such as to afford the probability of a speedy solution of the various practical questions which divide public opinion. The elections, as managed by the Derbyite party, have been characterised by an unscrupulous use of the rights of property, and also of Government influence, wherever it existed. Intimidation has been systematically practised, on a large scale, and the desire for the protection of the ballot has undoubtedly gained ground. In general, candidates of extreme opinions have been most successful; while those of moderate opinions have been often rejected. We rejoice sincerely, on public grounds, that Mr. Macaulay will return to grace the benches of a Liberal Opposition: his election has been not less honourable to himself than to his former and present constituents. On the other hand, we cannot but express our regret, as well as surprise, that a person of such high parliamentary qualifications as Sir George Grey, and who had, as Secretary of State, by his courage, moderation, good management, and ability, rendered such important services to the cause of order, in 1848, should have been hunted down, by all the overwhelming territorial influence of a Conservative Cabinet Minister, and by unsparing intimidation of voters, and driven from the seat which he had so worthily occupied. It has often happened that a Government has sought to avail itself of a popular cry, at a general election, and has also appealed to the country in order to obtain support on that ground. But we believe that no example can be found in our history of a general election systematically conducted, as the late election was, upon false pretences; and in which a Government deliberately claimed support upon grounds which it knew to be deceptive and mendacious.

The Government have done their best to shift their political ground since they have been in office; but their history is too well known, the origin of their party is too recent, and their acts are too well remembered, for the country to regard them, at least for the present, in any other light than as a Protectionist Ministry. They have attempted to represent them-

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selves as the only preservative against the deluge of democracy and revolution which is about to overwhelm us; but it must be perfectly obvious to all who observe the state of the country, and who compare it with former times, that the people are now, for the most part, in a condition of unusual tranquillity and contentment, and that no demands for organic changes are made by large bodies of the working men, in a threatening and alarming tone. This satisfactory position of affairs is beyond a doubt mainly owing to the successful operation of the Free-trade policy, which the party now in power did their utmost to resist and frustrate, and which they would still, if they could, undermine. Which policy, we would ask, really deserves the name of Conservative — that which concedes in time the demands of the people which are founded on justice and reason, or that which resists them until they are extorted by intimidation and tumult? Can any rational man doubt, that, in the year 1848, when all the Continent of Europe was in a state of revolution and popular commotion, the stability of our institutions, and the spirit of union and loyalty which pervaded all classes, was in great measure owing to the voluntary repeal, in 1846, of the laws which were believed to raise the price of bread, in order to increase the rents of the landed aristocracy?

Frequent reference has likewise been made, during the elections, to the meeting at Chesham Place, as evidencing a compact between Lord John Russell and the extreme section of the Liberal members, and proving a change in his opinions on Parliamentary Reform since his resignation of office. We reaffirm the truth of the detailed statement in our Number for April (No. cxciv. p. 577.), in which we showed that no such compact was entered into at that meeting. We believe that Lord John Russell's opinions upon the general principles of Parliamentary Reform have undergone no change since the dissolution of his Government; and, indeed, the course which he took upon the motions on that class of subjects during last Session proves conclusively that they have remained unaltered. In fact, he has, like most persons who steadily maintain a middle course, exposed himself to charges coming from opposite directions, which, though inconsistent with each other and with truth, are not the less successful in obtaining a partial belief. By the extreme section of the Liberal party he is treated as little better than a Tory; as lagging behind the feelings and wants of the age; as timid and obstructive; as clinging to a worn-out system; and as checking the progress of Reform. The Derbyites, on the other hand, represent him as a dangerous democrat, inflaming the country with revolutionary aspirations, and ready to demolish

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the throne and the House of Lords on the first favourable opportunity which shall occur. Both these views are equally false; but the alarm about the progress of democracy has only seized the Derbyite party since they have been in possession of office: when they were in Opposition, they showed no disposition to support the late Government in resisting extreme motions connected with Parliamentary Reform, upon several of which Lord John Russell's Government sustained temporary reverses, owing to the intentional absence of the Protectionist members.

The Derbyite party, ever ready to be all things to all men, and to adopt any opinion which could be turned to immediate account, have likewise extracted whatever advantage they could from the Anti-Maynooth cry at the elections; at the same time the Government have carefully abstained from holding out any hope that they would propose to repeal the Act which Sir R. Peel and Lord Derby carried through the two Houses of Parliament in 1845. Their prominent and substantial characteristic is, that they are Protectionists, but Protectionists who have abandoned Protection as a practical measure. They are reluctant and unconvinced Free Traders, believing the principles of Free Trade to be unsound, and the principle of Protection (as Mr. Disraeli declared at the elections) to be sound. They think that the Free-trade measures of 1846 and 1849 ought not to have been passed: that they were founded on an erroneous theory, and have been followed by results ruinous to the producing interests, but that the mass of the people view these measures with favour, that public opinion upholds them, and therefore that the time is not yet come when they can be reversed.

Mr. Disraeli (as we have already mentioned), near the end of last Session, defied anybody to find a passage in any speech delivered by himself or by Lord Derby recommending a recurrence to the laws which regulated the duties on corn and sugar before 1846. If we understand correctly the terms of this challenge, we are quite ready to pick up the glove. We presume that Mr. Disraeli does not lay any stress on the *precise regulations* of the duties on corn and sugar, as they stood at the beginning of the Session of 1846. We do not understand him to deny merely that himself and Lord Derby recommended a return to the *identical scale of figures* in which the duties on corn and sugar were then expressed. What we conceive him to mean (and, unless such was his meaning, his challenge is worthless) is, that neither he nor Lord Derby ever recommended a recurrence to a scale of duties on corn and sugar which would

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be *substantially Protective;* which would have the effect of raising the prices of those articles for the benefit of the producer.

Now if this be the meaning of the challenge, we say that, not merely one passage, but the whole course and tenour of the speeches of Mr. Disraeli and Lord Derby, as well as of Lord George Bentinck, together with their other principal supporters, now for the most part members of the present Government, since the year 1846, has been to condemn the Free-trade measures of that year, and to recommend a reversal of the policy on which they were founded. They must be judged as practical men, dealing with actual legislation, and with the conduct of public affairs, and their opinions must be construed by their acts. The course which they adopted was not an acquiescence in the Free-trade measures of 1846. After the passing of the Reform Bill, Sir R. Peel announced that, although he disapproved of its policy, and had opposed it during its progress through Parliament, yet, since it had become law, he would acquiesce in the decision of the Legislature, and not attempt to disturb this important national settlement. To the spirit of this declaration he adhered: and he never attempted to make the country dissatisfied with that great change—but the Protectionist party never, either by word or deed, acquiesced in the measures of 1846. Their whole public conduct, both in and out of Parliament—in debates, and motions, at public meetings, and dinners, on the hustings, and in pamphlets, reviews, magazines, and newspapers—was a series of protests and remonstrances against those measures. The inevitable inference is that they would, if they had been able, have reversed and repealed those measures, and would have restored the policy which those measures superseded: though they might not have re-enacted the identical scales of duties which had been abolished, and which had undergone many changes while the Protectionist principle was still maintained. If ever any political party exerted themselves to accomplish a common object, it was the Protectionist party in their endeavour to recover Protection. In that endeavour they have hitherto failed: but Mr. Disraeli must suppose that his hearers have lost both memory and understanding, if he attempts to persuade them, that because the intentions of the Protectionist party were not declared with the rigorous precision of a mathematical formula, he and Lord Derby did not do their best to prevail upon the Legislature to abandon the Free-trade policy, and to revert to the system of Protection. The conduct of the party and of its leaders must be viewed as a whole, and cannot be judged from any one act or expression. For Mr. Disraeli now to say that he and Lord Derby never recommended a

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return to Protection seems to us no less a demand on the credulity of the public, than if Napoleon after his return from Moscow had said that in his expedition he had meant nothing inconsistent with the honour and independence of Russia. His own acts would have belied his words.

Nothing can be more unsatisfactory or less conducive to the due settlement of great national questions, than the equivocal and indistinct language held by the leaders of the present Government on the important subject of Free Trade. Last year they were Protectionists, both in principle and practice, now they are Protectionists in principle and Free Traders in practice. They are Free Traders, regretting the loss, and proclaiming the advantages, of Protection: they are Free Traders, hostile to the principle of Free Trade, lamenting over the favour shown to it by public opinion, and desirous of returning to Protection whenever any opportunity might offer itself, and so far as opinion would permit. They are Free Traders, but they would take advantage of any accident in the state of parties, or of any transient oscillation of public opinion, to reverse or mutilate the Free-trade policy. They are entrusted with the key of the citadel; but they are ready, at the first moment, when it can be done with impunity, to open the gates, and let in the enemy.

Mr. Disraeli, it is true, very plainly abandons Protection, even to a small fixed duty; and in his budget speech he detailed the successful working of the Free-trade measures. But at the Elections he still holds to the principle of Protection, and informs the farmers that they are entitled to expect compensation from the Legislature for its loss. Mr. Walpole, the Secretary of State for the Home Department, whose office enables him to ascertain the condition of the working classes in all parts of the country, delivers a carefully prepared speech at Midhurst, in which he seeks to prove that the Free-trade policy has been attended with disastrous consequences: similar opinions are enounced by the Solicitor-General and other less prominent, but not less loquacious, members of the Government. The strength of the Derbyite phalanx is still (as it nicknamed itself) the 'Country Party,' that is to say, the party representing rural or agricultural interests. At the late county elections, the present Ministers were represented to the voters as Protectionists in heart, and as the only true friends to the farmer: out of 159 members returned for the English and Welsh counties at the late election, 126 are marked in the printed lists as Ministerialists, and only 33 as Anti-Ministerialists. In this number of 33 are moreover included the members for Middlesex, East

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Surrey, South Lancashire, and the West Riding, in none of which constituencies the agricultural influences predominate. This decided superiority in the counties has been obtained by an industrious diffusion of the belief that the Government will, if they do not restore Protection on Corn, at least confer some equivalent privilege on the agricultural interest. And this has been effected in spite of Lord Derby's express declaration, on the last day of the Session, that the forthcoming fiscal measures of the Government would not be framed so as to confer any partial benefit, but would do equal justice to all classes of the community.

In the midst of all this inconsistency and self-contradiction, —this saying and unsaying,—this tacking backwards and forwards,—this opposition of principle and practice,—these refined distinctions between opinions which are to be acted upon and opinions which are not to be acted upon,—these evasive, equivocating propositions, which no two people construe alike, and which will render it necessary, if the Government does not speedily mend its ways, to establish a Professor of Casuistry at Westminster, in order to interpret their declarations, —a plain man finds himself fairly bewildered, and knows not what to expect or what not to expect. Believing firmly that we have truth, reason, justice, and sound policy on our side, we wish to extricate ourselves from this confusion of tongues; we wish to reduce the contest to a definite issue, and to fight the battle, not in the midst of clouds and obscurity, but in the broad daylight, and with the recognised weapons of legitimate warfare. If the newly elected House of Commons is prepared at the bidding of Mr. Disraeli to enter on a retrograde and reactionary course, — to reverse the policy of Free Trade, and to restore Protection, in some form or disguise,—be it so: let the question be clearly put and decided, and the country will know to act when the decision has been made. But we protest against the virtual decision of this question in the midst of darkness and uncertainty,—against the unfairness of a fight, in which one of the antagonists stands in the open field, while the other is concealed in an ambush. We re-echo the petition which the Grecian hero in Homer addresses to Jupiter, when he finds himself shrouded by darkness in the midst of the battle: —

> 'Dispel this cloud, the light of Heaven restore,
> Give me to see, and Ajax asks no more.
> If Greece must perish, we thy will obey,
> But let us perish in the face of day.'

The ambiguous and shifting position of the Government on

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the subject of Free Trade is owing to their opinions respecting Protection being opposed to the general opinion of the country. They wish to move in a certain direction; but they are headed back, and obstructed by the strength of the popular will. We believe that the Ministers have made a very correct estimate of the state of opinion on this subject; and, that if they had attempted to meet it in front, their defeat would have been certain, complete, and immediate. When Sir Robert Peel decided, on account of the failure of the potato crop, to propose a suspension of the Corn Laws, with a view to their ultimate repeal, the country was taken by surprise, but the majority of Parliament and of the public acquiesced in a measure which they considered as urgent and necessary. The change was sudden; and the policy of an entire Free Trade in agricultural produce was to the living generation new and untried. The country therefore, looked upon the change as a great experiment; the theory of Free Trade was subjected to a practical trial on a vast scale, and without any previous preparation; and they watched the results with corresponding interest and anxiety. Now it is our firm belief that if the practical results of the Free-trade policy had been unsatisfactory; if they had turned out to be what the Protectionists predicted they would be; if the experimental proof had been against them, and if it had not been found on trial to be beneficial to the great bulk of the community, the Free Traders would not have been supported by public opinion, the Protectionists would have prevailed, and the policy would have been reversed. The deliberate preference which the country now accords to the Free Trade as opposed to the Protectionist policy, is owing to their observation of its practical effects. They see that trade has been extended, that the revenue has flourished, that many articles of first necessity have been rendered cheaper and more abundant, that pauperism and the poor-rates have been diminished *; that the general condition of the working classes has

* Mr. Walpole, in his speech at Midhurst, (reported in the 'Times' of July 10th) made a statement respecting the poor-rates, which is inaccurate and deceptive, and ought never to have proceeded from a Secretary of State for the Home Department. He speaks of the poor-rates as an index of the condition of the country, and, therefore, as a measure of pauperism; but, instead of quoting the sum expended in the relief of the poor, he quotes the entire sum levied as poor-rates, which includes the county and borough rates, and other expenses, not far short of 2,000,000*l.* a year. The following table (extracted from the fourth Annual Report of the Poor-law Board, p. 92.) will show what has really been the progress of the expenditure for the relief of the poor since 1845, the year preceding the repeal of the

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been ameliorated, and that all branches of productive industry have been in a state of unusual activity. They likewise see that the adoption of Free-trade principles tends to improve our foreign relations, and to remove so much of the incentives to war and international disputes as arises from commercial jealousy. The influence of the prices of food upon wages, was a question on which discordant opinions, even among candid and well-informed persons, existed in 1846. The Anti-Corn-law League was principally a middle-class movement; it never received, even in the manufacturing towns, any cordial support from the working classes, who were told by the Protectionists, and believed, that their wages would be lowered by their employers in proportion to the fall in the prices of food. Sir Robert Peel, in the debates on the Corn-law Bill of 1846, took occasion to refute this fallacy, and to explain the true social law with respect to this important subject.* Now, one of the most striking effects disclosed by the

Corn Law. The expenditure for the year 1851 is less than that for the year 1845, notwithstanding the increase of population in the six years. The increase in the years 1847 and 1848 was owing, not to the repeal of the Corn Law, but to the high prices of corn during those years. The figures quoted by Mr. Walpole are those in the second, not those in the third column.

Years ended Lady-day.	Total Amount of Money Levied for Poor Rates.	Total Expenditure for the Relief of the Poor in England and Wales.	Rate per head on Population.
	£	£	s. d.
1845	6,791,006	5,039,703	6 0¾
1846	6,800,623	4,954,204	5 10½
1847	6,964,825	5,298,787	6 2¼
1848	7,817,430	6,180,764	7 1¾
1849	7,674,146	5,792,963	6 6½
1850	7,270,493	5,395,022	6 1
1851	6,778,914	4,962,704	5 6½

* See his speech on the 27th of March, 1846; Hansard, 3rd series vol. 85. p. 237. The subject has been correctly explained by Mr. Caird, in his work on English Agriculture in 1850–51:—'The great 'difference (he says) in the rate of wages between the southern and 'northern counties, is a sufficient proof that the wages of the agri-'cultural labourer are not dependent on the prices of agricultural 'produce. A bushel of wheat, a pound of butter, or a stone of meat, 'is not more valuable in Cumberland or the North Riding, than in 'Suffolk or Berkshire; yet the wages of the labourer in the two

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recent change of prices is, that wages have not varied with the prices of food; all fees, salaries, and wages, for persons exercising any liberal profession, or any skilled calling, have remained unchanged; while the wages of agricultural labourers have, in some parts of the country, been stationary, and in the parts where they may have been reduced, the reduction has not been equal to the fall in prices. If therefore, Lord Derby's Government were now, by any serious effort, to provoke the revival of the Anti-Corn-law League, that powerful confederacy would, in its renovated state, unquestionably receive the warm support of the working classes throughout the kingdom, and not merely in the towns, but also in the agricultural districts. Although in the country the poorer class of freeholders were very generally coerced by the landowners and farmers into voting for the Protectionist candidates at the late elections, yet their feeling in favour of cheap bread, and their appreciation of the cause to which it is due, is as strong as among the operatives in the towns. Another important fact revealed by the continuous opening of our markets, is the great natural demand for corn in this country, and the large available supplies in foreign countries for its satisfaction. The reduction in the prices of grain has been considerable, though not greater than was generally anticipated, but we question whether any body in 1846 anticipated that, in a short time, the annual importations of all sorts of grain, would for three successive years, amount to nearly ten millions of quarters per annum. Tacitus, near the beginning of his Histories, says that on the death of Nero, not only the senate and the soldiery of Rome, but the generals and armies in the provinces, began to be in commotion; inasmuch as a great secret of the empire had been disclosed, that an emperor could be made elsewhere than at Rome.—'Evulgato 'Imperii arcano, posse Principem alibi quam Romæ fieri.' When the provincial armies had once practically discovered their power, they never forgot or abandoned it. A similar *Imperii arcanum* has been revealed by the repeal of the Corn Law. So long as it existed, the people did not know how much food it ex-

'former are from 60 to 70 per cent higher than in the two latter 'counties. The price of bread is not higher in July and August 'than in May and June; yet, in every agricultural county, the wages 'of labour during the period of harvest are increased. Nor are better 'wages directly the effect of capital; for the farmer of the cold clays 'of Durham or Northumberland pays 11*s.* a week, while the large 'capitalist who cultivates half a parish in South Wilts or Dorset pays 'only 7*s.* to his labourer. The higher rate is unmistakably due to the 'increased demand for labour.' (P. 519.)

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cluded. But now that they know by experience what is the extent of their demand, and with what regularity it can be satisfied, they will never consent to permit this abundant stream of supply to be intercepted.

The success of the Free-trade measures of 1846 and 1849, with respect to the general interest of the community, has unquestionably rather exceeded, than fallen short of, the expectations of their promoters. The loss and privations temporarily felt by the producing interests, affected by these measures, may have been considerable; but they are far outweighed by the advantage which has accrued to the great body of the community, and after a time they will be removed and compensated by voluntary adjustments. So conclusive, upon the whole, is the evidence in favour of the Free-trade policy, that the Protectionists find themselves constrained, for the present at least, to renounce their distinctive opinion, and to sail under the enemy's flag. We have heard it said, in defence of this change of opinion, that Lord Derby has only followed the example set him by Sir Robert Peel. We do not blame Lord Derby for abandoning his Protectionist policy; on the contrary, we rejoice at the tardy homage paid by him to sound principles: but the difference between his conduct and Sir Robert Peel's seems to us material. The one was a sincere convert to the doctrine of Free Trade; the other changes his policy, but retains his opinions. The one broke up his government by the change of his policy; the other changes his policy in order to retain office; and even then, does not adopt the new policy with honesty and sincerity.

Owing to the peculiar manner in which this reverse movement has been executed, in which this tergiversation has been performed — the Government do not simply abandon Protection, and remain as they were. They abandon Protection, it is true, but they maintain the case of grievance on which Protection is alleged to be founded. The conclusion may be repudiated, but the premises stand unshaken: one remedy is rejected, but the disease is unabated, and another treatment for the suffering patient must be found. The agricultural interest, the West India interest, the shipping interest, are ready to pour an unlimited number of fees into the outstretched hand of the physician: but they expect in return a perfect and entire cure.

Now, as we have seen, this perfect and entire cure has been promised by the State Physician. He has got the panacea in his laboratory; it is certain in its effects, and agreeable to the taste, and he is ready to administer it at the earliest possible period. The agriculturists are the class to be principally

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benefited by this potent specific; but its advantages are not to be peculiar to any one interest, and are to extend to the entire community. Let us then try to discover what this substitute for Protection can be, and what are the gains which are to accrue to the producing interests from a revision of taxation made upon equitable principles, and doing justice to all classes.

The first remedy for unequal taxation which seems likely to emanate from the present Government, is that embodied in so many speeches of Mr. Disraeli; namely, a transfer of burdens from the local to the general taxes. We cannot believe that a Conservative Ministry contemplate so extensive a change in our system of local government as would be involved in a transfer of the cost of relieving the poor, or of repairing the roads, to the Consolidated Fund. We think it, therefore, unnecessary at present to dwell on the consequences of such measures as these. We will only remark that if the relief of the poor in England is transferred to the Consolidated Fund, a similar transfer must be made for Scotland and Ireland; and we doubt whether the English tax-payer will make a good bargain, if he guarantees the costs of an Irish poor law, administered by the agents of the Government. If any additional transfer of this sort is now made, it will probably be confined to the expenses of prisons, prosecutions, and police, or to the salaries of poor-law officers. Limited transfers of this sort may be made without danger of any great increase of expense: but the following considerations must not be overlooked. In the first place, the local rates, though paid by the occupier, are unquestionably, in the long run, a deduction from the landlord's rent. At the beginning the farmers might feel some relief (though the reduction in the rates would probably not be more than 3*d.* or 4*d.* in the pound); but after a time, the landlord would reap the entire benefit of the changes—subject, however, to the condition of paying his share of the *general* tax, from which the expense would then be defrayed. Secondly, the relief afforded by a transfer of local rates to the general exchequer would not be confined to the agricultural interest. It would, to a great extent, be shared by railways, coal mines, and manufactories, as by houses in the towns. Thirdly, if the expenses of prisons and police, and all the salaries of local poor-law officers, are undertaken by the Treasury, the Government will be directly responsible for the management of these departments, and must assume the appointments of all the persons employed. This change would strike at the root of our system of local government, and would centralise our institutions to an extent which no political

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party, and least of all the 'Country Party,' has hitherto contemplated.

We will add, that a more disinterested course for a Chancellor of the Exchequer to take, than to invite transfers from the local taxation to the general Exchequer, it is impossible to conceive. If he has a surplus, it will be instantly swallowed up; if he has not a surplus, he must impose new taxes in order to meet the new charges. In the one case he is prevented from using his surplus for making any reductions or modifications of existing government taxes; in the other case he is forced to resort to the difficult and unpopular course of raising existing rates of duty or of taxing new articles. If, therefore, Mr. Disraeli has formed any plans for making transfers of this sort on a large scale, we suspect that he will find them anything but easy of execution, and that he has been building up, not one, but a succession of brick walls, with which his head must come in collision.

We think it not unlikely that Mr. Disraeli, since the Exchequer has been under his care, has begun to look upon new charges upon the Exchequer, to the amount of several millions a year, with a less complacent eye than he regarded them, when he spoke from the Opposition benches as leader of the 'Country 'Party.' We have seen that in his speech at the elections, he assigned a secondary rank to the substitution of general for local taxation, and indeed almost laid it aside. The measure to which he pointed as really meeting the exigencies of the case, as being the true equivalent for the precious but unattainable remedy of Protection, and as calculated to satisfy the reasonable and just demands of the agriculturists, without inflicting any loss or causing any discontent among the rest of the community, was a GENERAL REVISION OF TAXATION. Setting aside then, for the present, the question of the expediency of transfers from the local taxes to the Consolidated Fund, let us inquire what are the changes in the general taxation of the country which may be expected, by rendering it more just and equitable, to give relief to the agriculturists, as well as to all other classes of the community.

In order to facilitate and simplify this inquiry, we will annex an account of the principal items of the public revenue for the year 1851, which we have extracted from the finance accounts presented in the late Session of Parliament, and signed by the present Secretary to the Treasury. We have taken the *net produce* of each head of revenue, as it stands after the deduction of drawbacks, bounties, and other repayments, and not the *payments into the Exchequer.* (Sess. 1852, No. 196.)

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Net produce of the revenue of the United Kingdom, for the year ended 5th of January 1852.

	£
1. Spirits. Customs - - -	2,525,250
— Excise - - -	6,030,323
2. Tea - - - -	5,900,624
3. Malt - - - -	5,035,559
4. Tobacco - - - -	4,466,468
5. Sugar - - - -	4,159,038
6. Wine - - - -	1,776,246
7. Excise licenses - - -	1,160,570
8. Soap - - - -	1,043,026
9. Paper - - - -	928,876
10. Timber - - - -	521,870
11. Corn - - - -	504,921
12. Coffee - - - -	444,670
13. Hops - - - -	426,028
14. Currants - - - -	357,851
15. Other Duties and Receipts of Customs	1,540,137
16. Other Duties and Receipts of Excise	776,038
17. Stamps - - - -	6,529,049
18. Income tax - - -	5,440,349
19. Assessed taxes - - -	2,647,078
20. Land tax - - -	1,142,905
21. Post office - - -	2,422,168
22. Crownlands, and small branches of the Hereditary Revenue - -	378,783
23. Surplus fees of public offices -	108,916
24. Money arising from the sale of old stores and other resources - -	563,452
Total net Receipt - -	£56,834,710

This sum, of nearly 57,000,000*l.* sterling, fairly represents the amount levied by the taxation of the general government in the year 1851. The payments into the Exchequer, which were only 52,233,006*l.*, do not give an accurate view of the annual taxation, inasmuch as they not only include the balances from former years, but they exclude the payments made for the costs of collection and for other purposes, out of the net receipt, before the revenue reaches the Exchequer. Thus the net receipt of the Post Office revenue in 1851 was 2,422,168*l.*, which sum was actually obtained from the public; but the payments into the Exchequer, after the expenses of collection and other charges had been deducted, were only 1,069,000*l.*, or less than half the net receipt. In like manner, the net receipt of the customs was 22,197,075*l.*, whereas the payments into the Exchequer were only 20,615,337.

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Now, if the reader will cast his eyes over the twenty-four heads of receipt under which we have arranged the revenue for 1851, he will at once perceive that, although these items are not numerous, they nevertheless, in their aggregate, form a highly complex and artificial system. They are the condensed result of a series of experiments upon the interests of the country, and the endurance of tax-payers; which may be supposed to embody such modes of taxation as, upon trial, have been found least objectionable. They have undergone the severe scrutiny of a long series of Chancellors of the Exchequer, of administrations, and of parliaments, and have been deliberately retained as best fulfilling the conditions of that very difficult problem, which consists in finding a good tax. Most of them have been in existence for a large number of years; and they have been adapted by successive amendments, by gradual and tentative reforms, growing out of the suggestions of a wide experience, to the wants, feelings, and habits of the country. Their regulations have followed the variations in the processes of manufactures and in the importations of commerce, so as to avoid unnecessary interference with the operations of the trader, on the one hand, and on the other, to guard the interests of the revenue against fraud. Their stability has been a matter of calculation with all persons engaged in trade, in money transactions, or in the investment of capital. Numberless pecuniary arrangements are made with reference to public burdens; and it is a well-known remark of writers on political economy, that half the evil of a tax often consists in its recency, because in time economical relations adapt themselves to a particular mode or rate of taxation; such, for example, as an income tax. If the Chancellor of the Exchequer of any but a Conservative Ministry had on the hustings made promises of a complete and radical change of the entire system of taxation, which was to remove all injustice, and to give universal satisfaction, he would probably have been denounced by all Conservative statesmen as a rash and dangerous adventurer, who, for a temporary purpose, excited expectations which he could not reasonably hope to fulfil.

Of the twenty-four items under which we have arranged the revenue of 1851, the three last do not at present concern us. Moreover, we may pass over the Post-office revenue (No. 21.); believing that, if Lord Derby does not wish to face the restoration of a duty on corn, he will not undertake to raise the penny postage above its present rates. The sixteen first items represent the revenues of Customs and Excise. All the articles which produce more than 300,000*l.* a year are stated separately; the rest are placed together under Nos. 15. and 16. Now from

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what change or readjustment of these sixteen heads of taxation is any substantial relief to be afforded to the agriculturists? The Malt Tax naturally first presents itself for consideration; but this tax produces 5,000,000*l.* a year; a sum which far exceeds any surplus which Mr. Disraeli is likely to have at his command. His estimated surplus for the current financial year, ending the 5th of April, 1853, is 461,021*l.*; being the difference between an estimated expenditure of 51,163,979*l.* and an estimated revenue of 51,625,000*l.* Even if the revenue should prove more favourable than his estimate, yet the effective surplus in April next is not likely to exceed 1,000,000*l.* The state of the Funds is such as to hold out a prospect that a reduction in the charge of the interest of the National Debt may be effected at no distant period; but the conversion of the 3 per cents. into a $2\frac{3}{4}$ per cent. stock is a large operation, and can only be effected under very favourable circumstances of the money market. However, we will assume, for the sake of argument, that there is in April next an available surplus of 2,500,000*l.* How would this sum enable Mr. Disraeli to effect a revision of taxation for the relief of the agricultural interest? Would the House of Commons and the country consent to allow him to appropriate the whole of it to the reduction of the Malt Tax? Even if this were done, what benefit would the agricultural interest receive? The Malt Tax principally affects the famer by raising the price of barley to the consumer; and the price of malt is felt by the consumer, almost exclusively in the price of beer. In the year ending January, 1852, no spirits from malt alone were distilled in England; in Scotland the quantity so distilled was 5,724,158 gallons, and in Ireland 143,883 gallons. The practice of distilling from malted grain is almost exclusively confined to Scotland *, in which country a drawback equivalent to the Malt Duty is allowed for malt used in distillation. If the Malt Tax were repealed or reduced, the price of beer would be lowered; but the farmer would derive no benefit from the measure unless the price of barley was raised. There would be an increased demand for barley; but that increased demand would be satisfied by increased home cultivation and by increased imports.† If it raised the price of

* See Parl. Paper Sess. 1852, No. 232.

† Mr. Porter, in his work on the Progress of the Nation, (p. 565. ed. 1847) states that foreign barley is unfitted for malting in England. This may have been the case at the time when Mr. Porter wrote, but the importations have increased largely since 1846, and we understand that foreign barley is now much used for malting.

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barley, the price of beer would rise; and thus the increased demand would be repressed, and the price of barley would fall back again. We doubt, therefore, whether, even in the barley-growing districts, the farmer would derive any other benefit from the remission or reduction of the Malt Duty than that a larger breadth of barley would be sown; the price of barley would not rise. In the districts which do not grow barley, the farmer would receive no direct advantage from any alteration of this tax. There is now no duty on beer, as such; the Malt tax chiefly operates as a beer tax, and it falls principally on England, where the great consumption of beer takes place. The following are the net receipts of the Malt Tax for each of the three kingdoms in the year 1851:—

	£	
England - -	4,422,962	Total.
Scotland - -	406,679	£5,035,559.
Ireland - -	205,917	

Ireland, therefore, whose claim to consideration on account of the Corn Laws Mr. Disraeli declares to be irresistible, would derive but little benefit from the repeal or reduction of the Malt Tax.

The following account, for the year ended 10th of October,

Besides, if the demand for malting barley were to increase, and foreign barley was inferior to home-grown barley for this purpose, foreign barley might be more extensively used for distillation. The following account shows the recent increase in the importations of barley.

Quantity of Foreign Barley entered for Home Consumption in each of the following Years.

Years ended 5th January.	Quarters.
1846	299,425
1847	400,443
1848	794,999
1849	899,960
1850	1,554,860
1851	1,042,801
1852	832,552

We cannot mention Mr. Porter's name without expressing our regret, at the great loss which the public service, as well as the cause of economical science and statistical knowledge, has sustained in his premature death.

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1851*, shows how large a proportion of the malt made in the United Kingdom is used by brewers; so that the Malt Duty in fact becomes simply a tax on the article which they manufacture:—

	Quarters of Malt made	Used by Brewers and Victuallers.
England - -	4,128,422	3,751,589
Scotland - -	531,935	138,390
Ireland - -	192,761	158,539
Total - -	4,853,118	4,043,518

The remission of the Malt Tax wholly or in part would, therefore, in substance be, the remission of an indirect tax on beer. The persons who would really benefit by it would be the consumers of beer, not the producers of barley. We should be very glad if the consumers of beer could be relieved of this indirect tax; but, in remitting taxation, it is necessary to consider who has the strongest claim. The repeal of the Malt Tax would not only cut off a very productive branch of revenue, but would indirectly affect the duty on spirits. There is now a high duty on British and Irish spirits, which produces a revenue of 6,000,000*l.* a-year. There is no duty on beer, but there are taxes on malt and hops, the ingredients of beer. The duty on hops is not sufficient to affect the price of beer; and, therefore, if the Malt Tax were repealed, the price of beer would be substantially unaffected by taxation. But beer would then come into competition with spirits, a highly taxed article; and it would prove as formidable a rival as cider (which is wholly untaxed) is to beer in the cider-producing counties. It may be said that the moral effects of encouraging the consumption of beer instead of spirits would be good. This may be so, but we are now considering the financial effects of a repeal of the Malt Tax; and one of those effects would, as we think, be to render the spirit duties less productive.

The Hop Duty is another tax levied upon an agricultural product; but it is a product confined to a few English counties, and the entire repeal of the tax, which amounts only to about 400,000*l.* a year, would give no general relief to the agricultural interest of the United Kingdom. The repeal of the Hop Duty would no more affect the farmer of Buckinghamshire or Lancashire, or Scotland or Ireland, as a producer, than the repeal of the duty on spices or coffee. Moreover, if the excise duty on hops was repealed, the customs' duty must likewise be

* Parl. Paper. Sess. 1852, No. 203.

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abolished, and foreign hops be admitted free of duty; whereas at present foreign hops are nearly excluded. The customs duty on hops last year produced only 212*l.* The excise duty on native hops is 2*d.* per lb.; whereas the customs' duty on foreign hops is 2*l.* 5*s.* per cwt., or nearly 4*d.* per lb., being a protection of 100 per cent.

If, however, the duties on malt and hops are to be considered as pressing unfairly upon the agricultural interest, because they are levied on a product of the native soil, for the same reason the duty on spirits is an agricultural grievance. Spirits, in the United Kingdom, are invariably manufactured from grain, either barley or oats: high rates of duty on foreign spirits have been maintained avowedly as a protection to the English agriculturist. It would therefore follow, by parity of reasoning, that justice to the native agriculturist demands the repeal of the Spirit Duty. The spirit duties, however, including both excise and customs, yield a revenue exceeding 8,500,000*l.* a year; and we know of no less objectionable source from which so large a sum can be drawn. If the 'revision of taxation,' is to sweep away the duties on spirits, as well as those on malt and hops, as being unjust to agriculture, and if at the same time, five or six millions a year are to be transferred from the local taxes to the Consolidated Fund, the ingenuity of the Chancellor of the Exchequer in devising new taxes will be severely tasked.

Now that the Protectionists are in office, we expect to hear no more of the prohibition to grow Tobacco in the United Kingdom as an agricultural grievance. They have doubtless by this time discovered that if the home-grown tobacco was not subject to duty, the customs revenue would be greatly diminished; and that if the home-grown tobacco was liable to an excise duty equivalent to the customs duty, the cultivation would be unprofitable.

The duties on Stamps underwent a revision and reduction in the Session of 1850, and will probably not be subjected to any further alterations at the present time. The assessed taxes have no peculiar incidence upon agriculture, but are common to all classes of consumers. They are therefore not likely to attract the attention of a financial reformer who is desirous of removing inequalities of taxation, real or alleged, with respect to particular classes. The only two taxes, therefore, which remain for our consideration, are the Land Tax and the Income Tax. The Land Tax has existed in its present form since the reign of William and Mary; and all the land in the kingdom has been purchased and inherited, many times over, since its first imposition. It is in general a fixed as well as a moderate charge, and

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much of it has been redeemed. It affects the owner of land exclusively: it does not concern the occupier, and it can have no influence on the prices of agricultural produce. We cannot, therefore, think that the Land Tax can occupy a prominent place in the catalogue of agricultural grievances, or that any modification of it would bring any comfort to the complaining portion of the landed interest. The Income Tax, on the other hand, cannot fail to attract the attention of the present Government, though it is not a tax pressing unduly on the agriculturist. The history of the present Income Tax is well known, and we need not repeat its details. Having been originally introduced by Sir Robert Peel in 1842, it was continued for successive triennial periods until 1851; in which year Lord John Russell's Government proposed its renewal for a further period of three years. Mr. Hume, however, when the Bill was in committee, moved to limit the term of renewal to one year; and his motion, having been seconded by Alderman Thompson, and backed by the strength of the Protectionist party, was carried. Mr. Disraeli, in supporting Mr. Hume's motion, made the following among other remarks, explanatory of the grounds on which he thought it expedient to limit the Income Tax to a single year: —

'My object in supporting the amendment is, that the assessment to the Income Tax should, if possible, be made more equitable; that I particularly, in this observation, look to the position of the tenant farmers under the schedule constructed by the Government, and *to the position of professional men.* I feel persuaded myself, that, whatever members on either side may say, it will be impossible to maintain for any length of time the principles upon which *the assessment of the professional incomes to the property tax is based.* . . . . You must endeavour to make direct taxation as universal in action as indirect taxation, if you intend it to form an important point of your financial system. Nothing is more popular at present, out of doors, than direct taxation; but it is popular with those who are not directly taxed. *The present system is not taxation, but confiscation;* nor is the evil confined to the class that is taxed.'*

In his budget speech of last Session, Mr. Disraeli, in proposing the renewal of the Income Tax for another year, adverted at considerable length to the principles on which that tax is founded, and particularly to the two questions of a uniform rate for permanent and precarious incomes, and of exemptions for small incomes. With respect to the first, he expressed no decided

* May 2nd, 1851. Hansard, 3rd series, vol. 116. p. 482.

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opinion, but intimated a fear that if the plans of the actuaries were adopted, Schedules A., B., and C. would become as unpopular as schedule D. With respect to the other question, he laid down the principle, that direct should be nearly as universal in its incidence as indirect taxation; that if the revenue is to depend, permanently and to a large extent, upon direct taxation, its application must be made very general. Direct taxation founded on a system of exemptions is (he added) confiscation.

The Select Committee on the Income Tax, which was appointed late in the Session of 1851, and continued its sittings during last Session, came to no conclusion upon the evidence which they obtained. Upon the motion of Mr. Disraeli, the Committee resolved, that taking into consideration the importance of the subject, the state of business before the House, and the prospect of an early prorogation, there was not sufficient time for discussing and preparing a report that could do justice to the question.

The Income Tax now stands renewed until the 5th of April next, and therefore the Government must be prepared to take one of the following courses: viz. either, 1. to allow it to expire at the appointed time; or, 2. to propose its renewal in its existing form; or, 3. to propose its renewal with alterations. The first course is one which they would no doubt willingly choose: but a substitute for 5,500,000*l.* a year is not easily found. Even if they could have recourse to a small import duty on corn (from which their declarations have excluded them), they would make up but an inconsiderable fraction of this sum. The difficulty of repealing or reducing the Income Tax would be still further increased if large transfers were made from the local taxes to the Consolidated Fund. We therefore believe that Lord Derby's Government will find that they cannot escape from proposing a renewal of the Income Tax. If, however, they decide to propose its renewal, even for a limited term, they seem to be excluded, by Mr. Disraeli's expressed opinions on the subject, from proposing its renewal in its present form. If an income tax based on exemptions is confiscation, and if the principle on which professional incomes are assessed is unjust, some attempt to remove these defects must be made by the Government, before they can call upon Parliament to sanction a continuance of the tax.

In a pamphlet recently published by Mr. A. Alison, entitled 'Universal Free Trade,' a plan is promulgated for abolishing all customs, excise, stamp, and assessed taxes, and for raising the entire revenue by taxes upon income and property. For this purpose, he proposes to increase the Income Tax from 3 to 8 per cent., and to extend it to all incomes without exception, both in Great Britain and Ireland. If the tax were regulated

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on these principles, he estimates that Schedules A. and C. (land and the funds) would produce 18,000,000*l.*, and schedules D. and E. (trades, professions, and public offices) 14,000,000*l.* per annum; of schedule B. (farmers' profits) he takes no notice. To these heads of Income Tax, he proposes to add a tax on wages; which taking 227,000,000*l.* as the taxable wages of the nation, gives a further sum of 18,000,000*l.* a year. These sums would together amount to 50,000,000*l.* With respect to the tax on wages, Mr. Alison says:—

'The eighteen millions we propose to raise from the industrious classes will be got with great ease if we charge the tax to the employer. The employer will deduct the tax from the workmen, in the same manner as many of the payments under the present Income Tax are made. The tax on wages will thus be collected with as much certainty as any other portion of the revenue, and we know of no objections that either the employer or employed can make to an arrangement which is to conduce to the good of all.' (P. 14.)

Mr. Alison, it will be observed, proposes to raise the same amount upon wages as upon land and the funds. We certainly do not share his opinions as to the facility with which an income tax on wages could be levied; and we fear that Mr. Disraeli is right in saying that direct taxation is only popular among those who do not pay it. We subscribe likewise to Mr. Disraeli's opinion, that if the system of direct taxation is to be made permanent and general, and is to be the chief support of our revenue, its exemptions must be brought within the narrowest possible compass. Now there is one very extensive class of direct taxes which admit of no exemptions, except on the ground of extreme poverty, to be specially proved in each individual case; they have been long in force in the United Kingdom, and they now produce about 12,000,000*l.* a year. These are the local rates; and this is the class of taxes which Mr. Disraeli and the Protectionist party have for some years been trying to undermine. It is true that their objection is founded on the ground that the local rates do not include personal property; but if the effect of the transfer which they recommend is to render an increase of the Income Tax necessary, they will only enlarge the operation of the system of exemptions to which they object. Mr. Disraeli, in his budget speech, likewise objects to the new House Tax, as affecting only 400,000 out of 3,500,000 houses; but he is doubtless aware that this objection was equally applicable to the Window Tax, for which it was commuted. A scheme of finance, detailed in a late Number of the 'North British Review,' proposes to abolish the Income Tax, and to raise 8,500,000*l.* by a house tax, varying from 15 to 25

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per. cent on the rent, and extending to all houses, both in Great Britain and Ireland.*

Another principle of exemptions from direct taxation, to which Mr. Disraeli did not advert, is that founded on *territory*. Ireland is exempt from the Income Tax, the Land Tax, and the Assessed Taxes. Those three taxes, levied exclusively in Great Britain, together produced, in the year 1851, no less a sum than 9,230,333*l.* To this large sum, being more than a sixth part of the entire revenue, Ireland contributed nothing. Ireland likewise enjoys certain exemptions from indirect as well as direct taxation. Soap is subject to an excise duty in Great Britain, which in 1851 produced 1,043,026*l.* Ireland is exempt from this duty, and the duty upon British soap imported into Ireland is drawn back. Irish spirits likewise pay a duty of only 2*s.* 8*d.* per gallon; whereas the duty for Scotland is 3*s.* 8*d.*, and for England not less than 7*s.* 10*d.* Ireland, however, according to Mr. Disraeli's recent announcement, has an irresistible claim for relief on account of the repeal of the Corn Laws. How this relief is to be afforded consistently with an abandonment of the principle of exemptions from direct taxation, we shall probably learn when Mr. Disraeli's next budget is opened.

The unwillingness of the community to pay direct taxes has led financiers to resort to two expedients: one is the exemption of certain classes of persons, or certain districts, from direct taxes; the other is indirect taxation. In order to make an income tax, or a window tax, or a house tax less unpalatable, all persons having an income less than a certain amount, or occupying houses with less than a certain rental, have been exempted. Similar exemptions have been introduced into several others of the assessed taxes; for instance, the tax on carriages. A more sweeping exemption has been extended to Ireland, because it is a poor country. Exceptions such as these, however, restrict the tax within a limited class; and in order to reach the bulk of the community, recourse has been had to indirect taxation. Indirect taxation accomplishes a double object: it obtains the actual payment of a tax from a person who merely advances the money on credit to the Government, and who expects to be repaid as soon as he has sold the article in which he deals. Moreover, the person who really pays the tax, pays it without any demand from the tax-gatherer, and in general without any knowledge of the fact, inasmuch as it is confounded with the price of the article. An importer who pays the duty on sugar or coffee knows that he will be reimbursed by his customer;

* No. 84., for November 1851, p. 88.

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while the person who buys a pound of sugar or coffee at a grocer's shop, pays for it without considering how much of the price is the cost of the article, and how much is duty. In like manner, a distiller or malster, when he pays the duty on his spirits or malt, knows that it will be repaid him by the purchaser of his goods; while a person who drinks a glass of gin, or a pot of beer at a public house, pays for it without reflecting that he is contributing to the revenue. As indirect taxation satisfies these two conditions, it is an ingenious contrivance; but it necessitates a vast variety of vexatious and annoying regulations; it restricts the freedom of action in trade and manufacture; it is often capricious and irregular; and it increases the expense of collecting the revenue. Nevertheless, so long as the great bulk of the community, including nearly all the less wealthy classes, object so strongly to the direct and naked payment of a reasonable tax, as to render its collection from them practically impossible, recourse must be had to indirect taxation.

We are far from thinking (as may be seen from the preceding remarks), that our present fiscal system is perfect or incapable of improvement. We have no objection to a 'revision of taxation,' provided that it be made on sound and ascertained principles. What we do object to, is a promise made, on the eve of a general election, and for a political purpose, to throw our entire system of taxation into the crucible, without any declaration of the principle on which it is to be recast. Nothing can be collected from Mr. Disraeli's speeches but general denunciations of the injustice of the present system; as to the means of removing it, there is a profound silence. Is the method of indirect taxation to be extended? Are new duties of customs and excise to be imposed? Or is the system of direct taxation to be extended by withdrawing exemptions? Is relief to be given to professional incomes under the Income Tax? Is Ireland to receive further relief, or are some of its exemptions to be withdrawn? Are any transfers to be made from the local rates to the Consolidated Fund; and, if so, how is this additional charge to be met? What are the taxes and burdens pressing on the agricultural interest, which can be fairly adjusted by means of a general and systematic revision of taxation? To none of these questions do Mr. Disraeli's scanty revelations, notwithstanding the amplitude of his promises of relief, and the confident tone in which they are proclaimed, enable us to make any reply. If it be true that *dolus latet in generalibus*, the Government have had the full benefit of this species of deception.

The opening of the Session of Parliament, which is now at hand, must however soon dissipate a considerable portion of

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this obscurity. The Government will then be face to face with their opponents, and will be unable to plead their weakness or their want of preparation, as an excuse for evading interrogatories, and withholding an announcement of their policy. They are declared by their friends to possess the confidence of a majority of the newly elected House of Commons: they are therefore in the ordinary position of a Government, and cannot ask for forbearance from their opponents, or declare that their tenure of office is only provisional.

The first point which the Free-trade party in Parliament should, as it appears to us, bring to a clear understanding with the Government is, whether they intend to propose a restoration of protection, in any form, with respect to the three articles of Corn, Sugar, and Shipping. Hitherto the Government has maintained a sort of Janus-like character, with one face looking backward to Protection, and the other looking forward to Free Trade. It has succeeded in avoiding that consequence of a change of conduct, described by Livy, which leads a person, in trying to conciliate both parties, to displease both. 'Tergiversari res coge-'bat: ita, medium se gerendo, nec plebis vitavit odium, nec 'apud patres gratiam iniit.' The Government have, on the other hand, relieved the fears of the Free-trade party by their concessions on the subject of Protection, while they have kept up the hopes of the Protectionists by their promises of relief. But if we are to judge from the constant tenour of their declarations since they came into office, we should infer that all serious intention of restoring Protection, in any shape or to any extent, is abandoned. In this view we are confirmed by the recent language of their principal supporters in the press, who may be presumed to write with deliberation and upon good information. The following may serve as a specimen of the manner in which the delicate subject of Protection is now handled in these quarters:—

'We believe that a Protectionist policy will in the end be 'again the dominant policy of this country, alike shedding its 'benignant influence over our ships, our colonies, our commerce, 'our manufactures, our agriculture. We are content to wait, 'repressing, as best we may, our anxieties when we con-'template all these great interests. We suspect that these are 'the principles of the present Government; but their own faith 'is solemnly pledged to the country to deal fairly with it on 'the question of Protection. *They are bound to abandon the 'attempt to impose a duty on corn;* but they are as solemnly 'bound, in the language of Mr. Disraeli, "to have justice done '"to the soil." The present Ministers declare that they be-

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'lieve themselves able to do justice to the soil; and if they do 'not, they will fail.'*

It is possible that the Government may voluntarily make a declaration of their intentions on this subject, as soon as Parliament meets. Whether, however, the explanation is originated by the Ministers, or is extracted from them by interrogation or debate, we trust that if the assurances given by them be unsatisfactory and ambiguous, the new House of Commons will take an early opportunity of recording its opinions on the subject of the Free-trade measures, and, by a practical resolution, will declare whether it regards them as national benefits, to be maintained and extended, or as national calamities, to be tolerated for a time, but to be ultimately suppressed.

If, however, all intention of reverting to a Protectionist policy should be distinctly abandoned by the Government, then the time will come for an announcement of the policy which is to serve as its substitute. We have seen that the claims of the agriculturists to an indemnification for the losses which they sustained through the repeal of the Corn Laws subsist, according to the doctrine of the Government, unchanged and undiminished. This indemnification has been promised to them, and indeed has almost been pressed upon them, by the Chancellor of the Exchequer. No one ought to know better than a Chancellor of the Exchequer what are the facilities for a revision of taxation, at any given moment; and what are his means of affording a real and effectual relief by remissions, variations, or modifications of taxes. Mr. Disraeli has declared that the present time is eminently favourable for the enterprise, and he anticipates with confidence that he will be able to afford substantial relief, not only to the agriculturists, but to all other classes of the community, by measures founded on novel but sound principles of equity and justice.

It would probably be considered as uncandid and unreasonable in us, if we were to throw any doubt upon the reality or maturity of the gigantic plan of finance which the Chancellor of the Exchequer has shadowed out to his followers and to the country. Nevertheless, if we were to judge merely from the past conduct of the Government, we should anticipate much hesitation and some equivocation, with respect to the announcement of their scheme for the revision of taxation; we should expect that an attempt would be made first to gain time, and then when the time asked for had expired, to avoid a full and unreserved declaration. Lord Derby is suspected — we hope without

* Blackwood's Magazine for September 1852. No. 443. p. 370.

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ground—of confining his earnestness and his solemnity to his speeches, and to occasions of public display, and in his private counsels of treating public affairs with undue levity, and without the sense of their importance which becomes the deliberations of a responsible statesman.* The Derbyite party have subsisted for six years on the credit of a bill drawn for Protection. Now that the bill has become due, the payment is made by drawing another bill for revision of taxation. We trust that this system of drawing and redrawing will be put an end to, and that this old account will at length be closed by a speedy settlement. If the firm are insolvent, let their bankruptcy be formally announced; but if they are able to meet the demands of their creditors, let their assets be forthwith produced. If the expectant agriculturists are only to get a small dividend, let even that dividend be soon declared. Mr. Disraeli has not hitherto shown any want of boldness and enterprise: we cannot believe that he will shrink from the undertaking which he has announced: when we recall his recent expressions of confidence in his own plans, and remember the eagerness with which he invited the attention of the tenant-farmers to them, as a panacea for their grievances, we cannot doubt that he will, as he promised, take the earliest opportunity of submitting his matured scheme to Parliament.

It is on every account desirable, with respect to the future transaction of public business, that the country should, at an early period, be put in possession, through the present Government, of the agricultural ultimatum. If Protection on Corn is given up, but some equivalent demand is made on behalf of the landed interest, the precise terms of that demand ought to be distinctly brought forward, in the form of a practical measure;

* Lord Bacon, in the 8th book De Augmentis Scientiarum, in commenting on the verse of Proverbs: 'Homines derisores civitatem 'perdunt, sapientes vero avertunt calamitatem,' (Prov. xxix. 8.) makes the following remarks:—

'Mirum videri possit quod in descriptione hominum, qui ad res publicas labefactandas et perdendas veluti naturâ comparati et facti sunt, delegerit Salomon characterem non hominis superbi et insolentis, non tyrannici et crudelis, non temerarii et violenti, non impii et scelerati, non injusti et oppressoris, non seditiosi et turbulenti, non libidinosi et voluptarii, non denique insipientis et inhabilis; *sed derisoris.* Verum hoc sapientiâ ejus regis, qui rerum publicarum conservationes et eversiones optime nôrat, dignissimum est. Neque enim similis fere est pestis regnis et rebus publicis, quam si consiliarii regum aut senatores, quique gubernaculis rerum admoventur, *sint ingenio derisores.*'

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and with the sanction of official authority. This long-debated question will then be brought to an intelligible issue—and a decision of it may be obtained; whereas if it is kept much longer in an undecided state, the uncertainty thus created will pervade the relations of political parties, and obstruct the fair discussion of all fiscal questions which may come successively under the consideration of Parliament.

Although the state of the country is now satisfactory, and both its internal and external relations are in a sound condition; though its commerce, manufactures, and even agriculture are thriving; though its Indian and colonial dependencies are generally tranquil and well disposed, and its foreign relations are not unfriendly; yet the present position of public affairs is critical, and demands the serious attention of the community. In the first place, the momentous question of Free Trade awaits the final decision of Parliament, after the trial of a general election. It is in our opinion impossible to overrate the importance of the principles involved in this question. England has taken the lead of the entire civilised world, in giving practical effect to the system of Free Trade. Other nations will, if she persist in her policy, gradually follow her lead, and imitate her example. If, however, she turns back, or even halts in her career, not only will the country be deprived of the benefits of abundance and cheapness, but foreign nations will believe that England is dissatisfied with her experiment, and will strengthen their prohibitions against the products of our industry. In the next place, it is to be borne in mind, that England is now the only great Power in Europe which retains a free government, and in which a parliamentary system is in active operation. On the Continent, parliamentary government, having been first lowered in public opinion by the excesses and follies of the leaders of parties, has since been suppressed by the executive authorities, and the legislative chambers have been silenced or swept away. Peace has its difficulties as well as war: and the loss of the Duke of Wellington may, ere long, be equally felt in both.

In the midst of continental revolutions, experiments in government and counter-revolutions, we are justly proud of having steadily maintained without interruption our own form of Constitutional Monarchy; of having been able to uphold the dignity of the Throne without trenching upon the liberty afforded to the subject by free institutions; of having aided instead of checking the progress of enlightened views in our civil and social state; and of having given scope to a more liberal policy in our commercial relations with other countries. But, in the pride of

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triumph at having thus been able to work a system of Representative Government which has been reprobated as dangerous in some countries, and has been rendered impracticable by excesses in others, it behoves us carefully to analyse and distinguish the various causes that have tended to this success, with a view to ensure its continuance. To enter fully into this subject would be to discuss the whole theory and practice of the English Constitution, and would far exceed the limits of these pages; but it does not exceed our province to dwell most emphatically upon one great and necessary element of strength in the Government of this country, viz., the respect which the leaders of party should command in Parliament, and the confidence with which the country can rely upon the judgment of Parliament in the support afforded to the Ministers of the Crown. To be entitled to the respect of a fairly elected Parliament, it is not enough that public men should possess the accidental advantages of rank and station, if they are devoid of the dignity of character and consistency of purpose necessary for endorsing such claims to distinction. It is not enough to have fluency of speech without definite opinions or fixed principles. It is not enough to be unscrupulously obstinate in opposition in order to be dexterously yielding in office; nor is it sufficient to enjoy the impunity of insignificance when placed high in power. The great political leaders should be able to demand the confidence of their supporters, on the ground not only of personal character, of talents and experience, but as the consistent adherents of a distinct line of political principles. They should be the able exponents, the honest straightforward advocates, of the policy which their principles require and their judgment approves; they should be candid in explanation, because they are sincere in their convictions; they should be slow to raise hopes which they have not power to realise, and sure to keep promises deliberately made. The leaders of a great political party ought not to make office the goal of their ambition with any other view than that of obtaining power in order to carry out the political opinions and principles which they themselves profess, and which are professed by those whom they lead; and they are but little entitled to the confidence of the country, if it should appear that when the prize of Government is obtained, they declare themselves politicians without a policy,—Ministers without measures. To ask the country, through the various constituencies, to give them a policy, is widely different from a frank and intelligible avowal of their own political creed, followed by testing the numerical strength of those who are willing to support them, on an appeal to the country. The latter has

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been the recognised mode of action when the question has arisen by which party the country chose to be governed, the former has, we believe, been till lately unknown; and we sincerely hope may never serve as a precedent. Lord Derby left it to the country to decide whether he shall unfurl the banner of Free Trade or buckle on his armour to fight the battle of Protection. He was ready to stand by either, but to fall by neither. He declared his convictions and principles in favour of Protection, but has left to others the responsibility of determining his conduct. Like the Governor in the 'Critic,' whilst struggling with contending feelings, is he now willing to divide his identity, and say, the Earl is Protectionist, but the Minister Free Trader?

It is a serious evil when those in power place their political consciences at the disposal of others, and declare themselves willing to steer their conduct in the administration of affairs, not by their own convictions, but by the will of the sovereign people. Much was attempted during the late elections to inspire alarm at the prospect of democratic influence, and a sort of vague terror of some undefined danger was successfully created — but it seems to have been reserved for a Tory Government to admit a principle so dangerously democratic, as might in times less peaceful and less loyal lead the warmest friends in theory of the Church and the Throne to the most accommodating willingness to take part in the abolition of both. Real Conservatism may be as much annihilated in the name of Toryism as regal government was overthrown 200 years ago in the name of the King. During the late elections another great conservative element in our representative system has been dangerously assailed, by an attempt to claim unbounded confidence in a particular minister, dissociated from any definite line of policy. Lord Derby and his Cabinet came into office as a Protectionist Government—they pledged themselves to take the sense of the country on the great question of restoring Protection, but when the Parliament was dissolved they sent forth their friends to canvass the country with a blank in every brief to be filled at pleasure. We have heard of statesmen and demagogues associated with the cry for or against particular measures, and their names have been inscribed to the watchwords of No Popery, Civil and Religious Liberty, Parliamentary Reform, Church in Danger, Free Trade, &c., but it was new to find the Minister's name the sole ground of confidence. Lord Derby and 'something' was the cry to each constituency. Mankind is prone to interpret what is doubtful favourably to their wishes — the 'something' has been construed by many into that which they desire; and Lord Derby stands forth as a power in himself.

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How far he will be able to satisfy those whom on the one hand he has allowed to dictate what he is not to do, and in whom on the other he has encouraged a blind reliance that he is about to realise the 'something' which every class and sect has most at heart, remains to be seen; but whether failure or success attend him the evil still remains of lowering the standard of political morality, by rendering political inconsistency and insincerity the path to political honours. On the Opposition now devolves the office, not only of watching with the utmost vigilance every measure framed by a Government who would seem to have set themselves the task of adopting a policy which they have denounced, but a still higher duty is thrown on them. They must endeavour, by their firmness, moderation, and honesty, to keep up the dignity, and maintain the respect in which it is so desirable that public men should be held both in Parliament and in the country.

If the conduct of the present Ministers, since their accession to office, has not been such as to raise the standard of public morality; if they may have accomplished little, either by their name or their acts, for sustaining the honour and dignity of the country; it is the more incumbent upon the Opposition to do nothing, by which the high character of this nation may be impaired, and the authority of parliamentary government be diminished; but by the calmness of their demeanour, the moderation of their language, and the prudence of their conduct to earn for themselves the respect and gratitude of all the friends of free institutions and of a truly liberal policy.

ERRATA.

No. CXCV., p. 197.—Instead of 'Lord Palmerston and M. Thiers,' read 'Lord Aberdeen and M. Guizot.'

Page 208.—A letter from an officer of the North Somersetshire Yeomanry Cavalry has satisfied us that this regiment behaved with great promptitude and effect on the occasion of the Bristol Riot in 1831.

The present Number, p. 321.—The passage quoted from a letter to a friend occurs in the Preface to 'Le Pape.'

Page 345.—The books referred to in the Note as not being to be found in the London Libraries are those of the Continental Jurists, cited by Story and Livermore, amounting in number to ninety-one.

No. CXCVII. will be published in January, 1853.

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